Cruel & Unusual Punishment: Sacramento Homeless Criminalization, Discrimination & Harassment Report: 2015 - 2016







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Cruel and Unusual Punishment

Page 1

TABLE OF CONTENTS

SECTION	PAGE
Table of Contents	2
Figures & Tables	3 - 5
Executive Summary	6 – 10
Acknowledgements	11
Criminalization of Homelessness	12 – 21
Historical Context	12
Without Housing	13
National Context	14
California Context	15
Sacramento Context	16
Overview of homelessness in	17
Sacramento County	
Gentrification: Golden1 Center	18 -19
Costs of Homelessness: Sacramento	20 – 21
City	
SRCEH Homeless Civil Rights	22
Complaint & Changing Federal	
Homeless Paradigm	
Report Findings	23 – 53
Demographics	23 – 24
Current Homeless/Housing Status	25
Reasons for Homelessness	26
Gender: Discrimination & Harassment	27 – 30
Gender: Discharge to the Streets	31
Age: Discrimination & Harassment	32 – 35
Age: Discharge to the Streets	36
Ethnicity: Discrimination &	37 – 43
Harassment	
Ethnicity: Discharge to the Streets	44
Local Homeless Bill of Rights	45
Summary	46-53
Recommendations	54-60
Appendix I: Methodology	61
For more information	62

INDEX OF TABLES & FIGURES

FIGURES & TABLES	PAGE
Figures:	
Figure 1: Increase in city-wide bans of	14
homeless activities in public places	
Figure 2: Barriers to resource access due to criminalization	14
Figure 3: Park Ranger citations, homeless camps closed & DHA referrals	16
Figure 4: Types of Sacramento City Homeless Costs	20
Figure 5: Age of survey respondents	23
Figure 6: Ethnicity of survey respondents	23
Figure 7: Gender of survey respondents	24
Figure 8: Sexual Orientation of survey respondents	24
Figure 9: Current homeless/housing status	25
Figure 10: Self-identified reasons for homelessness	26
Figure 11: Law Enforcement Overall: Gender & discrimination due to lack of housing	27
Figure 12: Gender: Summary of Law	27
Enforcement Agencies: Gender &	
discrimination due to lack of housing	
Figure 13: Law Enforcement Agency's Enforcement of "Move Along" by Gender	28
Figure 14: # of Times in past year Sheriff asked for identification by Gender	28
Figure 15: Knowledge of rights when confronted by Police by Gender	29
Figure 16: Rights Honored by Law Enforcement by Gender	29
Figure 17: 1.9 times as many homeless women denied shelter due to perceived mental health status	30
Figure 18: 2.6 times as many homeless women denied shelter due to being in a relationship	30
Figure 19: Discharge to the streets by Gender	31
Figure 20: Law Enforcement Overall: Age [TAY compared to adults] & discrimination due to lack of housing	32
Figure 21: Summary of LEA: discrimination due to lack of housing by Age	32
Figure 22: Harassment by Police due to "appearing homeless:" by Age	33
Figure 23: "Move Along" by Police by Age	34

Figure 24: Number of times told to "Move	34
Along" by Police by Age Figure 25: "Move Along" by Sheriff by Age	35
Figure 26: Rights respected by Law	35
Enforcement by Age	
Figure 27: Discharge to the streets from facility	36
by Age	
Figure 28: Law Enforcement Overall: Ethnicity	37
& discrimination due to lack of housing	
Figure 29: Discrimination by Law Enforcement	37
Agencies by Ethnicity	
Figure 30: Sheriff enforcement of "Move	38
Along" by Ethnicity Figure 31: Number of times asked to "Move	39
Along" by Sheriff by Ethnicity	59
Figure 32: Rights respected by Law	40
Enforcement by Ethnicity	
Figure 33: How often feeling discriminated	40
against by Businesses by Ethnicity	
Figure 34: Summary of business	41
discrimination by Ethnicity	
Figure 35: How often feel discriminated	41
against by medical provider by Ethnicity	40
Figure 36: Summary of medical provider discrimination by Ethnicity	42
Figure 37: How often feel discriminated	42
against by social service providers by Ethnicity	74
Figure 38: Summary of social service	43
providers discrimination by Ethnicity	
Figure 39: Summary of Business, Medical &	43
Social Service Providers discrimination by	
Ethnicity	
Figure 40: Discharge to the streets from	44
facilities by Ethnicity Figure 41: Law Enforcement discrimination	46
due to lack of housing: Ethnicity; Age &	40
Gender	
Figure 42: Police Discrimination due to lack of	47
housing: Ethnicity; Age & Gender	
Figure 43: "Move Along" from public spaces by	48
Ethnicity; Age & Gender	
Figure 44: Discharge to the Streets from Jail	50
by Ethnicity; Age & Gender	50
Figure 45: Discharge to the Streets from Hospitals by Ethnicity; Age & Gender	50
Figure 46: Discharge to the Streets from	51
Shelters by Ethnicity; Age & Gender	51
Figu7re 47: Discharged to the Streets from	51
Drug Treatment, Mental Health Facilities &	
Foster Care by Ethnicity, Gender & Age	
Figure 48: Rights never honored by Law	52
Enforcement by Ethnicity; Age & Gender	

Figure 49: Support for Local Homeless Bill of Rights by Ethnicity; Age & Gender	53
Tables:	
Table 1: Number of Sacramento homelesscriminalizing homeless people	16
Table 2: Sacramento Police Department Crime Reports by "Homeless Offenses:" 1/2004 – 9/2014	16
Table 3: Park Rangers & anti-Campingcitations: March 2014 – October 2015	16
Table 4: Sacramento City: Costs of Homelessness: Type of Costs	20
Table 5: Summary of % feeling discriminated by Law Enforcement Agencies: Homeless People of Color compared to Homeless Caucasians	38
Table 6: Support for local Homeless Bill of Rights by Gender; Age & Ethnicity	45
Table 7: Summary of Recommendations & Responsible Party[s]	59
Table 8: Summary of Responsible Party[s] & Recommendations	60

Cruel and Unusual Punishment

Page 5

EXECUTIVE SUMMARY

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:

Demographics:

- > Age: 79% adults; 21% transitional age youth [TAY]
- Ethnicity: 36% African-American; 34% Caucasian; 11.8% multi-ethnic; 7.1% Hispanic; 4.4% Native American; 2% Other Pacific Islander; 1% Native Hawaiian; 1% Asian or 66% people of color
- > Gender: 55% male; 43% female; 2% transgender
- Sexual Orientation: 78% heterosexual; 6% bisexual; 5% gay; 3% lesbian; 8% preferred not to answer
- Homeless/Housing Status: 29.3% lived outside; 24.2% emergency shelter; 17.2% transitional housing; 12.6% combination; 7.7% friends/couch surfing; 1.3% car; 1.3% treatment program
- Reasons for being homeless: A complex mixture of systemic reasons, including a shattered safety net to respond to people in crisis coupled with a crisis in affordable housing, intertwined with personal biographies: 33.4% mental health; 31.2% substance abuse; 30.7% lack of affordable housing; 30.5% family abandoned; 30.4% lost job; 27.5% blame self; 26.1% lack of a living wage; 23.6% physical health issues; 17.2% criminal record; 13.6% lack of education; 13.2% government cuts; 10.5% intimate partner violence [note: adds to more than 100% since multiple responses possible]
- Gender:

Discrimination & harassment:

- ✓ 75% of homeless men, women and 80% of transgender homeless people feel discriminated against by law enforcement due to their lack of housing
- ✓ 75% of homeless men, women and 80% of transgender homeless people are routinely told to "move along" by law enforcement while occupying public spaces
- ✓ 43.6% of homeless men; 40% of transgender homeless people and 29.8% of homeless women were asked to show their identification between 1 – 120+ times by Sacramento Sheriffs in the past year
- ✓ 72% of homeless women & 60% of homeless men feel their rights are *never* respected by law enforcement

Denial of Shelter

- ✓ Twice as many homeless women [57.7%] were denied shelter due to their perceived mental health status compared to homeless men [29.4%]
- ✓ 2.6 times as many homeless women [62.1%] were denied shelter due to being in a relationship compared to homeless men [23.5%]

Discharge to the streets:

- ✓ Jail: 70% of homeless men and 51% of homeless women were discharged to the streets by county jail;
- ✓ Hospitals: 64% of homeless women and 63% of homeless men were discharged to the streets by local hospitals

Age:

> Discrimination and harassment:

- ✓ 75.8% of transitional age youth [TAY] and 74.2% of homeless adults feel discriminated against by law enforcement due to their lack of housing
- ✓ Twice as many TAY [32.3%] felt discriminated against by the Transit Police compared to homeless adults [17.3%]
- ✓ On average almost half [48.2%] of TAY and adults felt discriminated against by Police for "appearing homeless"
- ✓ On average TAY and adults were asked to "Move Along" while in public spaces by the Police 70.7% of the time – with 73.3% being told to "Move Along" by the Sheriffs.
- ✓ 70.6% of adults and 48.4% of TAY felt their rights were *never* respected by law enforcement

> Discharge to the Streets:

- ✓ Jail: 65.6% of adults and 52.9% of TAY discharged to the streets by county jail
- ✓ Hospitals: 66.7% of TAY and 64% of homeless adults discharged to the streets from local hospitals

Ethnicity:

> Law Enforcement: Discrimination and Harassment:

- ✓ Overall, 75% of people of color and 72.3% of Caucasians felt discriminated against by law enforcement due to their lack of housing
- ✓ The ratio of people of color to Caucasians feeling discriminated against by law enforcement ranged from 1.1 times higher by Police to 3.5 times higher by Transit Police
- ✓ Caucasians felt slightly more harassed by the Sheriff to "Move Along" while in public spaces than African-Americans – 47.5% compared to 37.4% respectively
- ✓ Caucasians were asked to "Move Along" by the Sheriff last year from 1 120+ times 49.5% compared to 37.1% by multi-ethnic homeless people; 36% for Hispanics and 31.5% for African-Americans.
- ✓ 77.4% of African-Americans felt their rights were *never* respected by Law Enforcement compared to 54.5% of Caucasians

> Businesses: Discrimination and Harassment:

54.3% of people of color felt discriminated against by businesses compared to 41.4% of Caucasians

> Medical Providers: Discrimination and Harassment:

✓ 57.3% of people of color felt discriminated against by medical providers compared to 42.7% of Caucasians

> Social Service Providers: Discrimination and Harassment:

 ✓ 1.6 times more people of color compared to Caucasians - 61.1% and 38.9% respectively – felt discriminated against by social service providers

Discharge to the streets:

- ✓ Jail: 100% of Hispanics; 79.9% of African-Americans; 77.8% of other people of color and 64.3% of Caucasians were discharged to the streets by County jail
- ✓ Hospitals: 79.9% of African-Americans; 79% of other people of color; 75% of Hispanics and 63% of Caucasians were discharged to the streets by local hospitals

Local Homeless Bill of Rights:

94% of people experiencing homelessness, regardless of gender, age or ethnicity support a Sacramento Homeless Bill of Rights

• Summary:

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 Homeless Bill of Rights	94.2%

RECOMMENDATIONS

 Declare a Moratorium on the enforcement of the anti-camping ordinance and CoC community planning process in 2016 – 17 to develop a decriminalization policy for 2017 HUD CoC Notice of Funding Availability [NOFA].

Responsible party[s]: City Council, Board of Supervisors

2. Adopt a local "Homeless Bill of Rights"," including adding people experiencing homelessness as a protected class & support state *CA Right to Rest Act*

Responsible party[s]: City Council, Board of Supervisors

3. Declare a Homeless State of Emergency, based on inclusive community process

Responsible party[s]: City Council, Board of Supervisors

4. Expand the funding sources for the City & County Affordable Housing Trust Fund

Responsible party[s]: City Council, Board of Supervisors

5. Implement a Zero Tolerance Policy on "discharging people to the streets"

Responsible party[s]: City Council, Board of Supervisors, County Department of Health & Human Services, County Department of Human Assistance, Sheriff Department, Local hospitals: Kaiser, Sutter, Mercy and UC Davis, mental health and substance abuse treatment facilities

- 6. Law Enforcement:
 - A. Create multi-disciplinary teams and integration between the City's Police Impact Team, Sacramento Steps Forward's [SSF] Common Cents Team and other homeless navigator teams
 - B. Implement Mandatory *Peace Officers Standards & Training [POST]* on homeless issues for all law enforcement agencies in our city and county
 - C. Create a ReEntry Center in downtown Sacramento: A comprehensive diversion strategy

Responsible party[s]: Sacramento Steps Forward, All Navigator Teams [hospital, jail, library etc.], Police Department, Sheriff Department, Sacramento Park Rangers, Sacramento Regional Transit

7. Implement *Cultural Competency, Implicit Bias and Fair Housing Trainings* for all law enforcement, medical providers, mental health, substance abuse programs and social service agencies

Responsible party[s]: All law enforcement agencies, medical providers, mental health, substance abuse and social service agencies

- 8. Shelter & Transitional Community:
 - A. Create Camping Safe Zones
 - B. Expand funding for Year Round Shelter: Low barriers/harm reduction model
 - C. Fund and site First Steps Communities
 - D. Funding for shelter and transitional housing for homeless transitional aged youth [TAY]

Responsible party[s]: City Council and Board of Supervisors

- **9.** Health, Sanitation & Public Health:
 - A. Expand city and county funding for a Homeless Respite Program
 - B. Remove barriers to homeless mental health & substance abuse programs: Expedite SSI
 - C. Expand Needle Exchange Program with city funding
 - D. Create access to bathrooms & create Bathrooms Jobs Program
 - E. Fund a downtown Mobile showers program
 - F. Fund Portable Water Stations
 - G. Expand the number Trash cans in downtown

Responsible party[s]: County Department of Health & Human Services

10. Expand funding for SETA's "Pathways to Employment" Program

Responsible party[s]: Sacramento Steps Forward, Sacramento Employment & Training Agency [SETA], City Council and Board of Supervisors

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SRCEH Civil Rights Committee: Thank you to the members of the SRCEH Homeless Civil Rights Committee that reviewed multiple drafts of the report and drafted the recommendations contained in this report:

Paul Boden, Executive Director, Western Regional Advocacy Project [WRAP] Bonita Daniels, Program Director, SRCEH Greg deGiere, Pioneer Church United Church of Christ, Social Justice Committee Erica Fonesca, WIND Youth Services Sherry Hao, WIND Youth Services Shahera Hyatt, California Homeless Youth Project Niki Jones, WIND Youth Services Bill Kennedy, SRCEH Board member Howard Lawrence, Area Congregations Together [ACT] Regina Range, SRCEH Board member Sarah Ropelato, Managing Attorney, Legal Services of Northern CA [LSNC] and SRCEH Board member Amber Salazar, SRCEH Board member Steve Watters, Director, First Steps Communities

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Survey: Thank you to Regina Range, Steve Watters, Greg deGiere and staff at WIND Youth Services for conducting the surveys of homeless adults and youth for this report.

HISTORICAL CONTEXT: Poor laws; Sundown Towns; Anti-Okie & Ugly Laws

The practice of controlling and regulating marginalized groups predates the founding of the republic. American colonists modeled early vagrancy laws on the English Poor Laws and punished those who were "vaguely undesirable" or perceived as possible criminals. Early colonies crafted "warning out" laws that enabled cities to forcibly expel unwanted individuals.



These vagrancy laws served as the foundation for subsequent laws designed to remove so-called "undesirable" people from public spaces. U.S. cities also have a long history of driving racial minorities from public spaces.

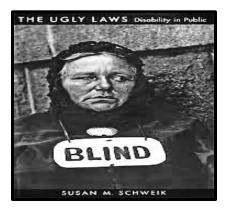


Beginning in the late 1800s, cities in the South created "sundown towns," which banned African Americans from remaining in town past sunset. Undesirable people who entered a sundown town after dark were subjected to a range of punishments, from harassment to lynching.

Other cities around the country, including in California, became sundown towns and excluded Native Americans, Mexican Americans, or Chinese Americans in an effort to create a homogenous, white citizenry. Some sundown towns remained in effect until they were successfully challenged during the Civil Rights and school desegregation movements in the 1960s.



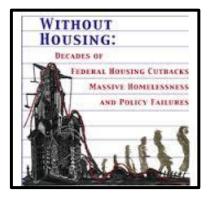
After the Dust Bowl and Great Depression decimated the Great Plains in the 1930s, 200,000 people migrated to California to find work. These workers were presumed (incorrectly) to hail from Oklahoma, so were nicknamed "Okies." In response to this influx, California passed an "anti-Okie" law, which made it a misdemeanor to "bring or assist in bringing" extremely poor people into the state. Los Angeles used the Los Angeles Police Department to form "Bum Blocks" in an attempt to keep "Okies" from entering the "City of Angels." In a unanimous decision, the United States Supreme Court struck down this California law in 1941.

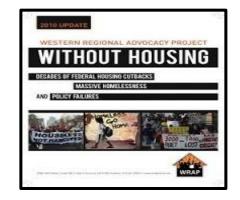


Blatantly discriminatory laws have also targeted "undesirable" groups other than racial and regional minorities.

Beginning in the 19th century, cities and states introduced "ugly laws," banning people who exposed "disease, maiming, deformity, or mutilation." The first of these laws—perhaps better described as "unsightly beggar ordinance[s]," since they were originally introduced to prohibit begging—was adopted in San Francisco in 1867. Many of these laws were not repealed until the 1970s.

WITHOUT HOUSING: DECADES OF FEDERAL HOUSING CUTBACKS; MASSIVE HOMELESSNESS & POLICY FAILURES





The Western Regional Advocacy Project [WRAP: <u>www.wraphome.org</u>] has produced the most comprehensive analysis of the failure of federal housing policy coupled with the rise of mass homelessness over the past 35 years in their publication, *Without Housing: Decades of Federal Housing Cutbacks; Massive Homelessness & Policy Failures [2006] and a 2010 Update.* Below is an excerpt from the Executive Summary of the *2010 Update*:

Homelessness in the United States is the most brutal and severe face of widespread poverty. Homelessness stems from systemic causes that play out via the individual biographies of people experiencing homelessness. At the epicenter of these systemic causes is over three decades of federal divestment in our affordable housing infrastructure and programs. However, public policy debates and media representations tend to overlook the systemic causes of homelessness. Instead of addressing the shortage of adequate housing, federal policies have only further driven the commoditization of housing as speculative asset, and in doing so led the entire global economy to the brink of collapse in 2008.

We can trace contemporary mass homelessness to the Reagan administration's destruction of the social safety net and affordable housing funding. These cuts happened at the same time that the cumulative effects of deindustrialization, global outsourcing of jobs, decreasing real wages, urban renewal and gentrification were driving down income and driving up housing costs. The social safety nets created by the New Deal and as part of the Great Society assured a baseline of opportunity in the United States for decades. During the 1980s, however, under Reagan's neoliberal policies, homelessness reemerged throughout the United States.

Homeless policy has focused on a series of underfunded, patchwork efforts that tend to pit sub-populations of people experiencing homelessness, service providers and advocates against each other in battles for meager funds. Rather than addressing homelessness by providing housing options at all income levels, homeless policy in the United States has devolved into byzantine formulas used to count the number of homeless people and determine whether or not someone "qualifies" for homeless housing and services.

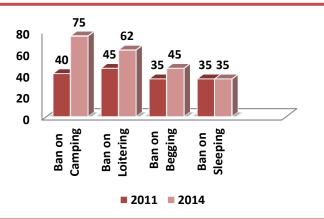
NATIONAL CONTEXT: Increasing Criminalization of People Experiencing Homelessness

No Safe Place, a recent study of 187 cities published by the National Law Center on Homelessness & Poverty, found anti-homeless laws to be widespread, increasing, and intensifying. In Figure 1 below, one sees that the majority of US cities have bans on camping, loitering, and begging in particular public places, while city-wide bans have been increasing at an alarming rate since 2011.

For instance, in 2011, 70 cities banned sitting or lying down in particular public places and in 2014, 100 cities were found to ban these activities. This is a 43% increase in just three years. The ban on sleeping in vehicles increased even more from 37 cities in 2011 to 81 cities in 2014. While hardly any cities had restrictions on individuals and private organizations sharing food with homeless people during the 2011 survey, by 2014, 17 of the cities in the survey had such bans (10% of all cities). The one exception to this trend is the decline of bans on sleeping in particular places. However this decline is likely attributable to the dramatic increase in anti-camping laws

The use of a backpack as a pillow has been used to cite and arrest those for camping

Figure 1: Increase in City-Wide Bans of Homeless Activities in Public Places



- Ban on Camping: Increased 60%
- Ban on Loitering: Increased 36%
- Ban on Begging: Increased 25%
- Ban on Sleeping: No change

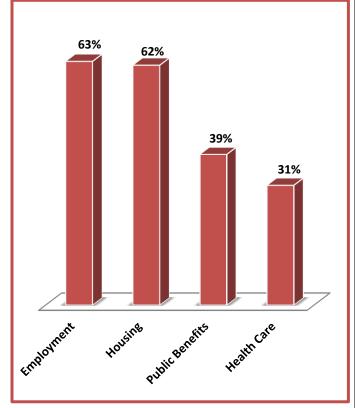
Consequences of Criminalization of People Experiencing Homelessness

In 2011 the National Law Center on Homelessness & Poverty released their report, *Criminalizing Crisis: The Criminalization of Homelessness in U.S. Cities,* based on a survey of 154 homeless advocates and social service providers in 26 states.

Figure 2 below is a summary of the barriers in accessing key resources that people experiencing homelessness face due to the criminalization of homelessness in their community.

Overwhelmingly people experiencing homelessness face significant barriers to accessing employment and housing, followed by barriers to accessing public benefits and health care.

Figure 2: Barriers to resource access due to criminalization



Cruel and Unusual Punishment

Page 14

CALIFORNIA CONTEXT: Leader in Trend to Criminalize People Experiencing Homelessness

California, a state that comprises only 12% of the US population, but 22% of the nation's homeless people is a leader in this trend of criminalizing homeless people

California, a state that comprises only 12% of the US population, but 22% of the nation's homeless people, is a leader in this trend of criminalizing homeless people.

58 California cities have 500 laws restricting or criminalizing the 4 categories of activities [above] associated with homelessness – imposing 581 separate restrictions on people experiencing homelessness

A recent report, *California's New Vagrancy Laws: The Growing Enactment & Enforcement of Anti-Homeless Laws in the Golden State,* Berkeley Law, University of California, Policy Advocacy Clinic, February, 2015, found 500 laws in 58 cities restricting and criminalizing four categories of activities associated with homelessness: [1] sleeping; [2] standing; [3] sitting and [4] begging.

Comparing this survey of California cities to the cities sampled by the NLCHP report revealed that California is an extreme outlier in its widespread criminalization of homelessness by US standards.

California cities were found to be 25% more likely to have laws against sitting/lying, 20% more likely to have citywide sleeping bans and 50% more likely to ban the sharing of food with homeless people.

60% of the 500 laws in CA have been passed since 1990 and 55 new anti-homeless laws have been enacted since 2010

Most significantly is the criminalization of camping and sleeping in vehicles. Whereas, only 33% of US cities restrict sleeping in vehicles, 74% of California cities carry such a ban, and while 30% of cities have camping bans citywide, 69% of California cities do. Like the rest of the nation, most of these laws have been passed recently. 60% of the 500 laws have been passed since 1990 and 55 new anti-homeless laws have been enacted since 2010.

Western Regional Advocacy Project [WRAP]: Right to Rest Act or Homeless Bill of Rights:

Based on similar results of the 2013 survey of people experiencing homelessness in San Francisco detailed in this report, WRAP introduced AB 5 [Ammiano], *California Homeless Bill of Rights* in 2014 which raised the issue of protecting homeless people's civil rights but was heavily opposed by business interests and did not receive the necessary votes to move it forward.

In 2015, WRAP worked with State Senator Liu to rework AB5 which led to SB608 [Liu] – *the California Right to Rest Act.* Again, this bill was opposed and WRAP decided to let it die in committee rather than being voted down.

The CA Right to Rest Act is currently planned to be reintroduced in early 2016.



SACRAMENTO CONTEXT: Pattern & Practice of Criminalizing People Experiencing Homelessness

Based on *California's New Vagrancy Laws: The Growing Enactment & Enforcement of Anti-Homeless Laws in the Golden State,* Berkeley Law, University of California, Policy Advocacy Clinic, February, 2015, the City of Sacramento has <u>11 municipal codes criminalizing the</u> <u>daily activities associated with homelessness</u>, two above the average of nine anti-homeless laws in the 58 cities they studied: *[Table 1 below]*

Table 1: 11 Sacramento Codescriminalizing homeless people

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

Additionally, as shown in Table 2 below, the Sacramento Police Department from 2004 – 2014 disproportionately enforced City Municipal Code Section [MC] 12.52.030, which *"bans camping on public or private property, unless otherwise authorized.* Of the 1,201 crime reports on "homeless offenses" 69% [831 of the 1,201 crime reports] were focused on MC 12.52.030.

Table 2: Sacramento Police Dept. Crime Reports by "Homeless Offenses:" 1/2004 – 9/2014

Offenses	#	%
Begging; panhandling	144	12%
Standing, sitting; resting	226	19%
Sleeping, camping or lodging	831	69%

SRCEH's Cruel & Unusual Punishment Report reveals a "pattern & practice" of harassment of homeless citizens by law enforcement, broadly defined

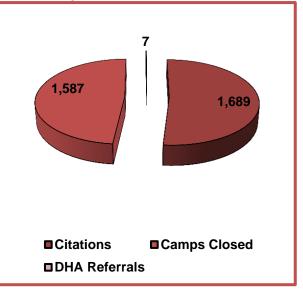
SRCEH's DOJ Homeless Civil Rights Complaint 10/2015

Finally, the Sacramento Park Rangers have issued 1,689 anti-camping citations [March 2014 – October 2015] and made <u>only 7</u> referrals to the County Department of Human Assistance [DHA] for assistance for homeless people over this 19 month period. [See Table 3 and Figure 3 below]

Table 3: Park Rangers & anti-camping citations:March 2014 – October 2015

Year	# of	Camps	DHA		
	Citations Closed		Referrals		
2014	617	249	2		
2015	1,072	1,338	5		
Total	1,689	1,587	7		
Average	89	80	.37		
per month					

Figure 3: 2015: Park Ranger citations, homeless camps closed and DHA referrals



AN OVERVIEW OF HOMELESSNESS IN SACRAMENTO COUNTY

Sacramento Steps Forward [SSF] 2015 Point-In-Time Count:

- Number of homeless youth & adults on any given night: 2,659 homeless people on any given night, including 394 Transitional Age Youth [TAY: 18-24]. The 2015 Count was an increase of 5% from 2013 Point-In-Time Count [2,538 homeless people]
- Number of homeless people on an annual basis: 5,200 homeless people in Sacramento county
- Families & Single Adults: 27.6% are families & 72.4% single adults

Demographics of families:

- ✓ Gender: 62% female; 38% male
- ✓ Ethnicity: 48% African-American; 34% Caucasian; 25% Hispanic; 3% Native American; 14% Other

Demographics of single adults:

- ✓ Gender: 76% male; 24% female
- ✓ Ethnicity: 64% Caucasian; 29% African-American; 14% Hispanic; 2% Native American; 4% Other
- Sub-populations:
 - ✓ 21.8%: mentally health issues
 - ✓ 20.8%: substance abuse issues
 - ✓ 18.9%: chronically homeless
 - ✓ 11.7%: veterans
- % Sheltered and % Unsheltered: 64% sheltered; 36% unsheltered
 - ✓ Number of emergency shelter beds: 1,033 emergency shelter beds: 322 for families; 343 for single adults.
 - ✓ % Year Round shelter beds % % seasonal: 64.4% are year-round beds; 22.7% are seasonal [November to March]; 12.8% are overflow beds

Sacramento County Office of Education: 11,924 homeless students K-12th grade in Sacramento Unified School District: 4% on the streets; 4% in shelters; 4% in motels and 88% doubled-up living arrangements [2013 – 14 school year]

Common Cents Program Update to City Council & Board of Supervisors: December, 2015

Common Cents is SSF's Street Outreach & Engagement Team: January – October 2015 they conducted 1,228 assessments:

- 84% of individuals assessed reported a physical, mental or emotional impairment
 - 56% have been homeless 2 years or longer
- 67% visited a hospital emergency department within the last 6 months
- 37% reported in-patient hospitalization within the past 6 months
- 69% come from the Sacramento region
- 75% sleep outside [street, sidewalk, riverbed, parks
- 80% had been in Sacramento County Jail

UNMET HOUSING NEED

SSF's analysis reveals a shortage permanent supportive housing for of at least 700 homeless individuals in 2016 – based on 2015 annualized "community que" – i.e. assessments of homeless people

Cruel and Unusual Punishment

Page 17

GOLDEN1 CENTER & GENTRIFICATION OF DOWNTOWN: CAUSE FOR CONCERN: INCREASING CRIMINALIZATION OF PEOPLE EXPERIENCING HOMELESSNESS?



The Golden 1 Center is a \$501 million dollar project, with a \$233 million dollar subsidy from the City of Sacrament, located between J & L streets and 5th Street and 7th Street. It is slated to open in fall, 2016.

Below is a description from the *Golden1 website* [www.golden1center.com]

The project encompasses four city blocks right in the heart of downtown that will be a major catalyst for development in the surrounding area and in the entire region. The arena itself is an indoor multi-use facility that will accommodate sporting and top events entertainment such as professional and collegiate sports, concerts, ice shows, indoor rodeo, trade shows, large graduations, family shows, and other indoor entertainment. It also contains a state of the art practice facility with administrative offices.

The project also includes up to 1.5 million square feet of additional development including 475,000 square feet of office space, 350,000 square feet of retail, a 250-room hotel, and up to 500,000 square feet for residential units. The first phase of the project includes over 715,000 square feet of development, over 300,000 square feet of retail, 128,000 square feet of office, a 250-room hotel and up to 50 residential units.

Golden1 Center, and proximity to Single Room Occupancy [SRO's] Hotels and County Jail: Increasing Criminalization of Homelessness?

The Golden1 Center is clearly leading the forces of gentrification in downtown Sacramento, with the stated goal of being "a major catalyst for development in the surrounding area and in the entire region."

SRO's and Boutique Hotels: SRCEH and affordable housing advocates are deeply concerned that this will lead to the transformation of the remaining Single Room Occupancy Hotels – 6 SRO's are within 6 blocks of the Golden1 Center – the housing of "last resort" for seniors on fixed income; sex offenders and people on welfare – to boutique hotels, as was the case in "Skid Row," Los Angeles.

In fact, the former Marshall Hotel, built in 1911, located at 7th & L Streets, one block from the Golden1 Center, is being transformed into a *Hyatt Place*.

County Jail: Additionally, the County Jail, located at 651 I Street, is a mere 3 blocks away from the Golden1 Center. The County Jail, as documented in this report, routinely discharges people experiencing homelessness to the streets every day.

SRCEH's concern is that in order to keep homeless people away from patrons of the Arena, the City will actually move to *increase measures to further criminalize people experiencing homelessness.*

Gentrification pushing homelessness into suburbs:

As soon as construction began, two County Board of Supervisors, Supervisor Peters [District 3: northwest Sacramento County] and Supervisor MacGlashan [District 4: northeast Sacramento County] began publicly commenting that they were seeing a dramatic increase in homelessness in their communities.

It seems clear that the construction and the opening of the Golden1 Center will continue to push people experiencing homelessness out of downtown and midtown Sacramento into surrounding communities that historically have not seen that many homeless people, nor have the infrastructure of services and affordable housing to respond to this emerging suburban crisis.

Increased security brings increased over further criminalization of people experiencing homelessness:

SRCEH again fears that the community responses will be to increase the criminalization of people experiencing homelessness rather than respond by increasing affordable housing in their neighborhoods.

A recent article in the Sacramento Bee [December 13, 2015] reinforces this fear:

"Downtown advocates are talking to the city about improving lighting and security in the neighborhood to make it, well, less scary for suburbanites not used to trekking to the urban core....

On K Street, the K Collaborative pays for two police officers on Friday and Saturday nights. And the Police Department is planning to boost its downtown bike unit and foot patrols in the area."

SRCEH's concern is the City will move to increase measures to further criminalize people experiencing homelessness

Cruel and Unusual Punishment

Page 19

COSTS OF HOMELESSNESS: CITY OF SACRAMENTO

Based on testimony by Bob Erlenbusch, Executive Director, SRCEH, at the Sacramento City Council budget hearings in June 2015, the City Manager's Office conducted a *Cost of Homelessness* analysis; similar to the one performed in Los Angeles that found the costs of homelessness to the City of L.A. was over \$100 million.

"Mitigating the Impacts of Homelessness"

In FY 2014 – 2015 the City of Sacramento spent \$13.66 million on costs related to homelessness:

- \$7 million of "mitigating the impacts" of homelessness;
- \$6.6 million of services and support

General Fund Spending: Only 16.4% of the total was spent on emergency shelter and housing with ZERO spent on affordable housing from the City General fund. [Table 4]

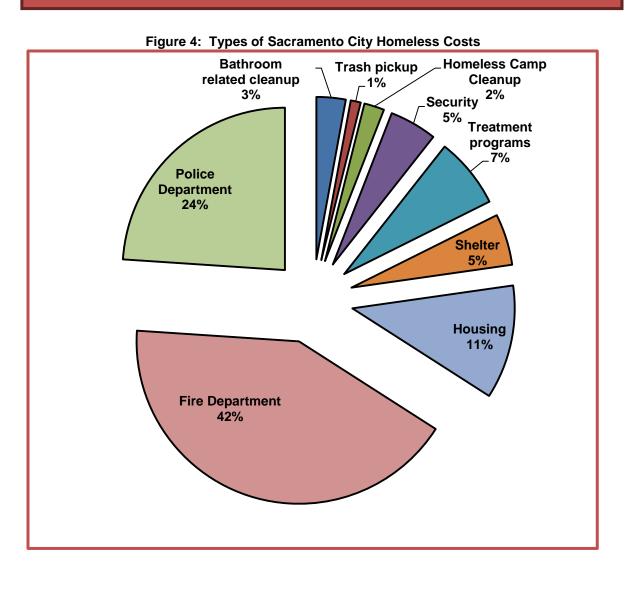
Note: The County of Sacramento is also conducting a "Cost of Homelessness" report, which as of the date of publication of this report has not been released. However, preliminary estimates are in the \$60 - \$80 million range annually, with approximately half being spent on "mitigating the costs of homelessness."

Type of cost	Amount	General Fund		Cost: Impact, Service or Investment [Inv]			% Total
		Amount	% total	Impact	Service	Inv.	
Bathroom related	\$349,157	\$339,245	97.1%	100%			2.9%
Trash	\$127,628	\$75,392	59%	100%			1%
Homeless Camp Cleanup	\$232,617	\$144,705	62%	100%			2%
Security	\$552,754	\$444,454	80%	100%			4.7%
Subtotal	\$1,262,156	\$1,003,796	79.5%	100%			10.6%
Treatment	\$828,351	\$708,351	85.5%			100%	7%
Shelter	\$610,000	\$100,000	16.4%			100%	5.1%
Housing	\$1,335,849	0	0%			100%	11.3%
Subtotal	\$2,774,200	\$808,351	29.1%			100%	23.4%
Fire Department	\$4,956,636	\$4,956,636	100%	47.9% [\$2.37m]	52.1% [\$2.58m]		41.9%
Police Department	\$2,828,391	\$2,828,391	100%	99.3% [\$2.8m]		.07% [\$19,151]	23.9%
Subtotal	\$7,785,027	\$7,785,027	100%	66.5% [\$5.2m]	33.2% [\$2.58m]	.03% [\$19,151]	65.8%
Total	\$11,821,383	\$9,597,174	81.2%	54.5% [\$6.44m]	21.9% [\$2.58m]	23.6% [\$2.8m]	100%

Table 4: Sacramento City: Costs of Homelessness: Types of costs

Figure 4 depicts the types of costs the City of Sacramento spent either in "mitigating the impacts of homelessness" or on services and support: *The city spent* \$7.7 *million in mitigating the costs of homelessness and* \$6.6 *million on services and support.*

\$7.8 million or 65.8% went to the Police and Fire Departments while \$2.7 million or 23.4% went to treatment, shelter and housing *[Figure 4]*



SRCEH CIVIL RIGHTS COMPLAINT & A Changing Paradigm in Federal Agencies

If there is not enough housing, anticamping ordinances violate the 8th Amendment of the U.S. Constitution as cruel & unusual punishment *DOJ, August 2015*

Department of Justice [DOJ] and SRCEH's Homeless Civil Rights Complaint:

In August 2015, DOJ filed a "statement of interest" in the case of *Bell et.al v. City of Boise*, where homeless people filed a lawsuit against the City of Boise's anticamping ordinance. DOJ's statement concluded "that if there is not enough housing, anti-camping ordinances violate the 8th Amendment of the U.S. Constitution as cruel and unusual punishment."

Based on that argument, SRCEH filed a homeless civil rights complaint to DOJ's Civil Rights Division, Special Litigation Section in October, 2015 stating the constitutional of rights people experiencina homelessness in our City and County are being violated. Specifically, SRCEH asserts that the City and County anti-camping ordinances are "cruel and unusual punishment," violating the 8th Amendment of the United States Constitution, especially in light of the Department of Justice [DOJ] recent statement of interest in Bell et.al v. City of Boise. Additionally, anti-camping ordinances are being applied in a discriminatory manner. Finally, based on a preliminary analysis of the results of SRCEH's Homeless Discrimination Survey reveals that there is a "pattern and practice" of harassment of homeless citizens by law enforcement broadly defined [police, sheriff, park rangers, light rail police, and private security].

Remedy: SRCEH is seeking a full investigation by the DOJ into the basis of our complaint. Additionally, we encourage DOJ to file a statement of interest in the current litigation in Sacramento in the case of *Allen et.al. v. City of Sacramento et.al.*

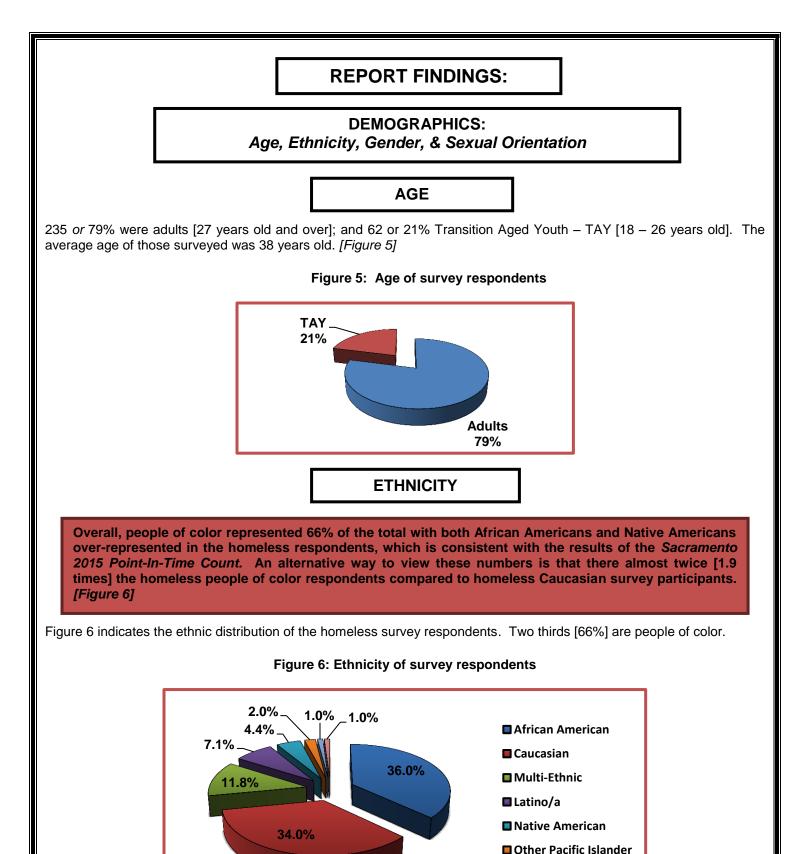
United States Interagency Council on Homelessness [USICH] and Homeless Encampments: [USICH] recently released Ending Homelessness for People Living in Encampments: Advancing the Dialogue, as a way to advance community-level discussions that will strengthen practices and strategies on addressing the housing and service needs of homeless people living in encampments.

USICH concluded that "the forced dispersal of encampments is not an appropriate solution and can make it difficult to achieve lasting housing and service outcomes to its inhabitants.

Housing & Urban Development [HUD]: Continuum of Care [CoC] Funding & SRCEH's Call for A Moratorium on Enforcement of Anti-Camping After years of urging from national Ordinance: homeless advocates, HUD added points to the CoC Notice of Funding Availability [NOFA], the score and ranking of which determines a local CoC's level of funding on an annual basis. Specifically, CoC's, in their 2015 applications must demonstrate they have implemented specific strategies that prevent criminalization of homelessness, affirmatively further fair housing.

Based upon the potential of the Sacramento CoC potentially losing funding based on the continued criminalization of homeless people, SRCEH initiated a Petition calling for a Moratorium on the Enforcement of the Anti-Camping Ordinance. As of the writing of this report, SRCEH has hundreds of signatures on the petition, but no support from elected officials.

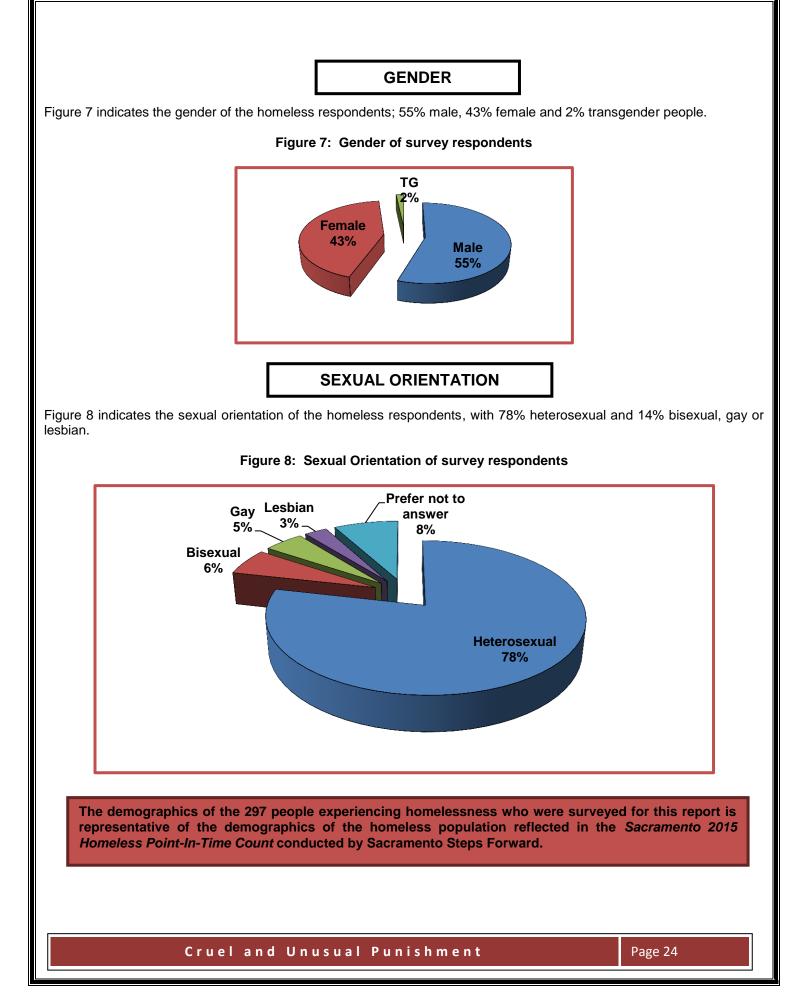


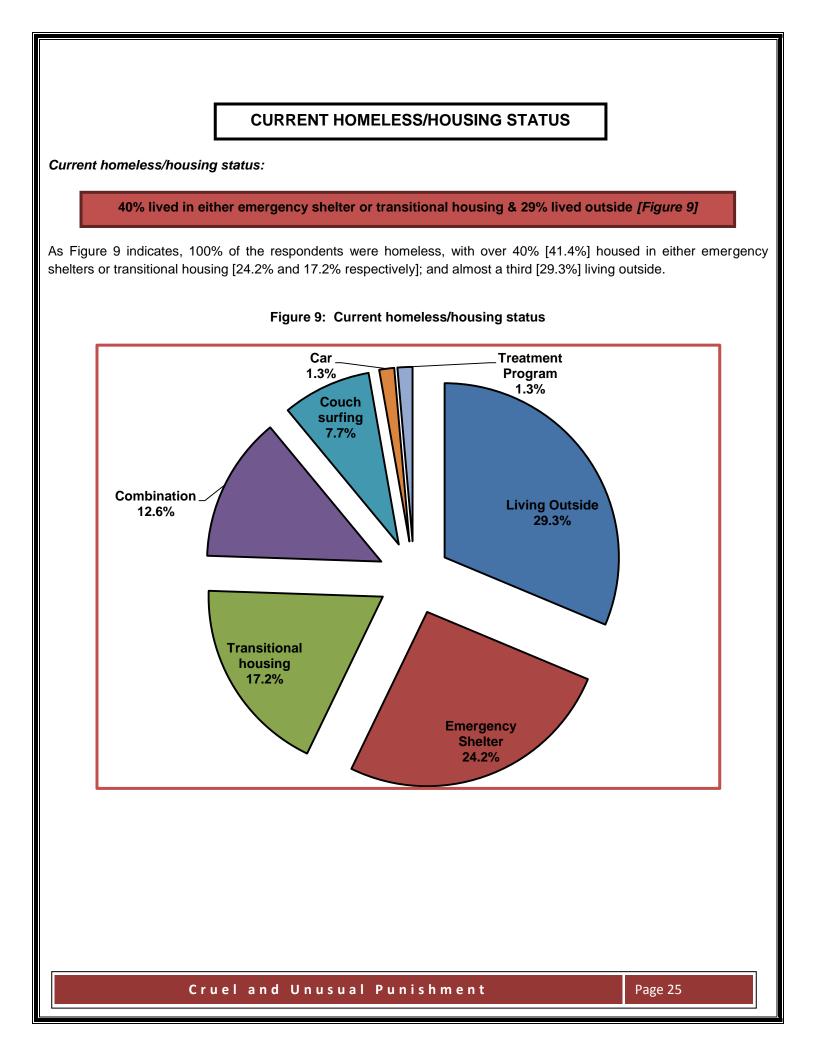


Cruel and Unusual Punishment

Native Hawaiian

Asian





REASONS FOR BEING HOMELESS

The reasons why people were homeless are a complex mix of systemic reasons – lack of affordable housing, lack of a living wage, government cuts - intertwined with personal biographies - for example, blaming themselves & physical health issues As Figure 10 indicates, the reasons [self-identified] why the respondents to this survey are homeless is a complex mix of systemic reasons [lack of affordable housing, lack of a living wage, government cuts etc.] and personal biographies [blame self, physical health issues]. The top 5 reasons for their homelessness identified by homeless youth and adults were: 1. Mental health issues [33.4%] 2. Substance abuse issues [31.2%] 3. Lack of affordable housing [30.7%] 4. Family abandoned [30.5%] 5. Lost a job [30.4%] Figure 10: Self-identified reasons for homelessness [adds to more than 100% since multiple responses possible] 10.50% Intimate partner violence 13.20% **Government cuts** 13.60% Lack of education 17.20% **Criminal record** 23.60% Physical health issues 26.10% Lack of living wage 27.50% Blame self 30.40% Lost job 30.50% Family abandoned 30.70% Lack of affordable housing 31.20% Substance abuse 33.40% Mental health issues 0.00% 5.00% 10.00% 15.00% 20.00% 25.00% 30.00% 35.00% "I was a victim of violent crime" "I am employed but cost of housing is too much" IN THEIR

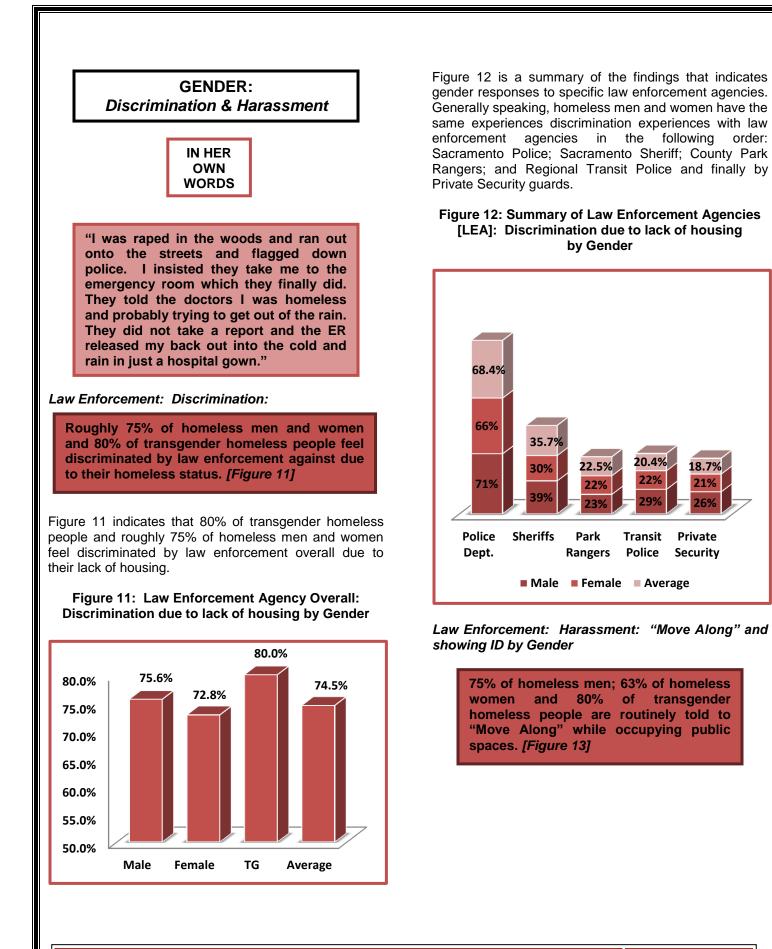
"My grandmother passed away while I was living with her"

"Natural disaster....apartment fire and flood.... not our fault"

"Unforgiving bureaucratic society that focuses on credit and past and not present"

Cruel and Unusual Punishment

OWN WORDS



Cruel and Unusual Punishment

order:

18.7%

21%

26%

Private

Security

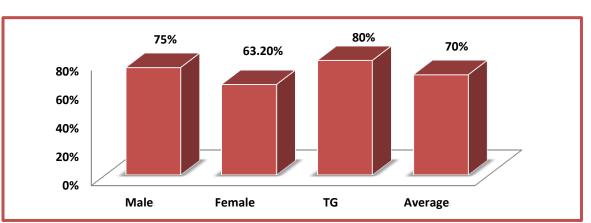


Figure 13: Law Enforcement Agency's enforcement to "Move Along" by Gender

Asked for Identification:

43.6% of homeless men; 40% of transgender homeless people & 29.8% of homeless women were asked to show their identification between 1 - 120+ times by Sacramento Sheriff in the past year [*Figure 14*]

As shown in Figure 14 below, homeless women feel less harassed than men as it relates to having to show identification [70.1% compared to 56.6%].

Nevertheless, 44% of homeless men and 30% of homeless women are still harassed to produce their identification, ranging from 1-10 times to 120+ times on an annual basis.

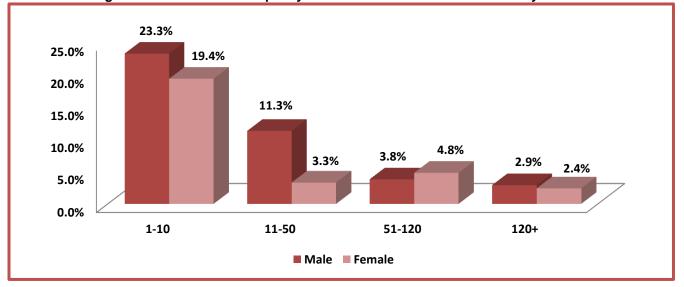
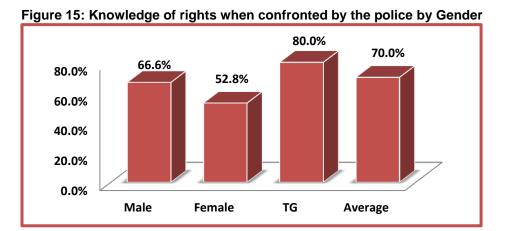


Figure 14: # of times in the past year Sheriff asked for identification by Gender

Rights of People Experiencing Homelessness & Law Enforcement:

More than two thirds of homeless men [66.6%] and over half [52.8%] of homeless women know their rights on the streets when approached by the police. [Figure 15]

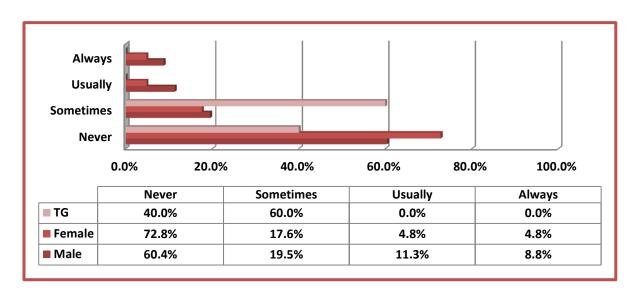


Rights Not Respected:

72% of homeless women and 60% of homeless men feel their rights are NEVER respected by law enforcement [*Figure 16*]

Homeless women feel that their rights are not respected by law enforcement at a significantly higher percentage than homeless men – 72.8% and 60.4% respectively. [Figure 16]

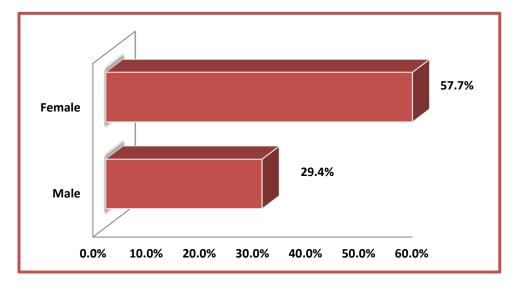
Figure 16: Rights honored by Law Enforcement by Gender



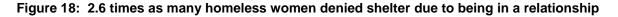
Emergency Shelters: Denial of shelter:

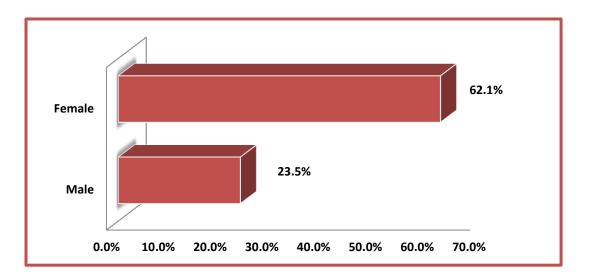
Twice as many homeless women [57.7%] were denied shelter due to their perceived mental health status compared to homeless men [29.4%], while 2.6 times as many homeless women [62.1%] were denied shelter due to being in a relationship compared to homeless men [23.5%]. [Figure 17]

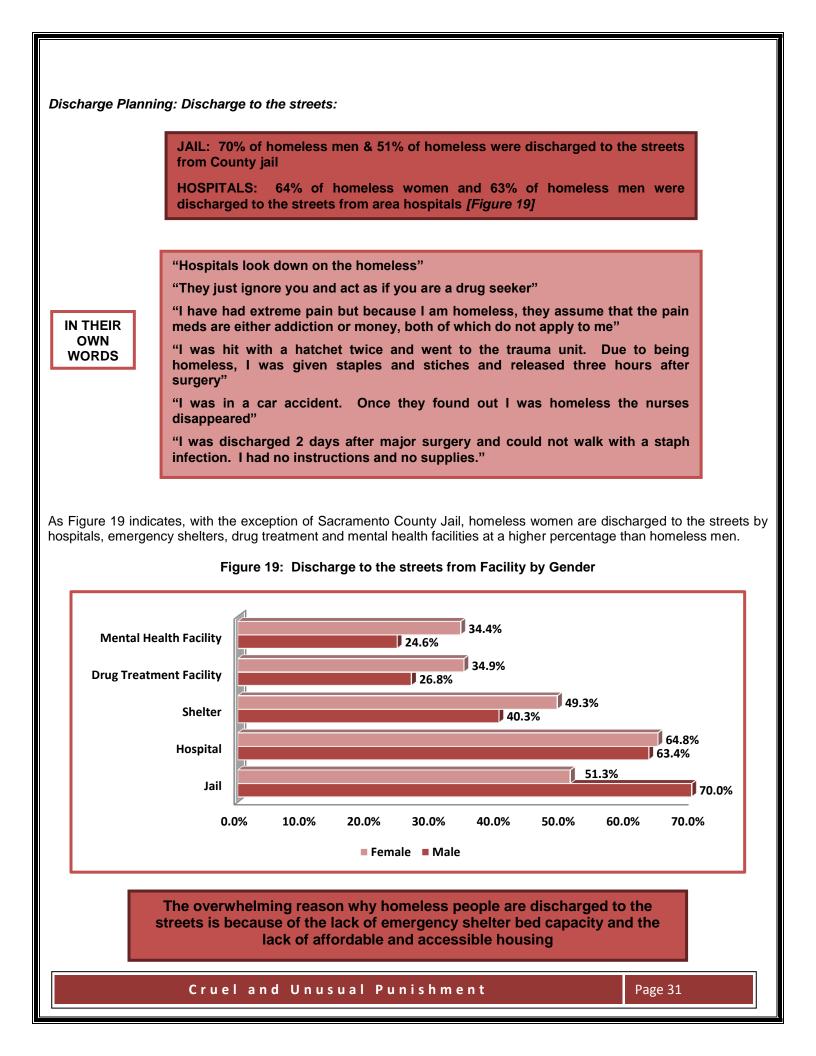
Both Figure 17 and Figure 18 below show a significant difference in the experiences of homeless women compared to homeless men in being denied shelter due to perceived mental health status and being in a relationship.











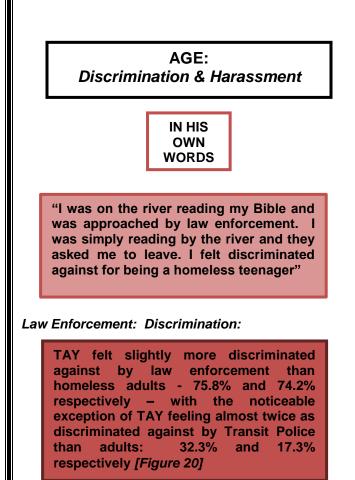
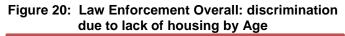
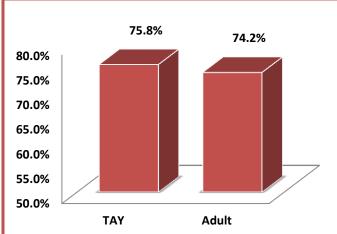


Figure 20 compares feeling discriminated by law enforcement overall by age – Transitional Age Youth [TAY], 18 – 26 years old compared to homeless adults, 27 years old and older. 75.8% of TAY felt discriminated against by law enforcement because of lack of housing, slightly higher than the 74.2% of homeless adults.





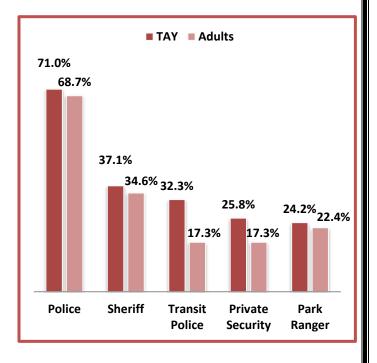
Specific Law Enforcement Agencies:

Twice as many TAY felt discriminated against by the Transit Police [32.3%] compared to homeless adults [17.3%] [*Figure 21*]

Homeless TAY report feeling discriminated against by every law enforcement agency due to lack of housing than homeless adults, with nearly twice as many TAY feeling discriminated against by the Transit Police [32.3%] compared to homeless adults [17.3%]. [Table 17]

Additionally, homeless TAY and homeless adults have the generally same experiences of discrimination as reported by gender [above] with law enforcement agencies in the following order: Sacramento Police; Sacramento Sheriff; Transit Police; Private Security and County Park Rangers, with TAY feeling slightly more discriminated against by each LEA than adults with the noticeable exception of Transit Police as discussed above. [Figure 21]

Figure 21: Summary of LEA discrimination due to lack of housing by Age



Law Enforcement: Police & Sheriffs: Harassment: "Appearing homeless" and "Move Along":

On average roughly half [48.2%] of homeless TAY and adults feel discriminated against by the Police for "appearing homelessness" [*Figure 22*]

Appearing Homeless: Police: Homeless adults report higher rates of police harassment for "appearing homeless" [52.3%] compared to homeless TAY [33.9%].

Nevertheless, on average TAY and homeless adults feel harassed for "appearing homeless" roughly 50% [48.2%] of the time.

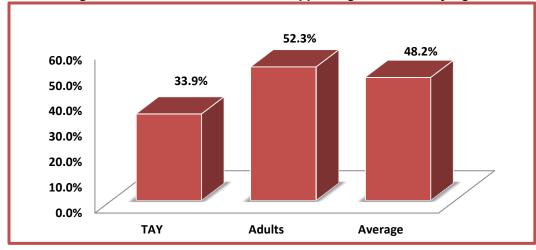
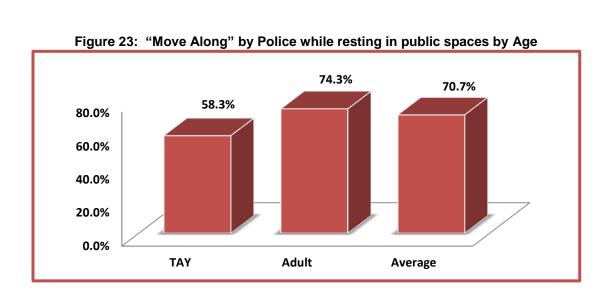


Figure 22: Police Harassment for "Appearing Homeless" by Age

Police: "Move Along:"

On average, homeless TAY and homeless adults are asked to "Move Along" from public spaces by the Police 70.7% of the time – with 76.6% of homeless adults & 66.7% of homeless TAY asked between 1 - 120+ time to "Move Along" by the Police *[Figures 23 and 24]*

When respondents were asked about specific law enforcement agencies, a combined TAY and adults – 70.7% - said they were asked to "move along" by Police. Homeless adults report higher rates Police harassment by being told to "move along" while being in public spaces [74.3%] compared to homeless TAY [58.1%]. [Figure 23]



On an annual basis, TAY and homeless adults are instructed to "move along" from public spaces by Police at equally high rates: 67% [1-120+ times] for TAY compared to 76% [1-120+ times] for homeless adults. [Figure 24]

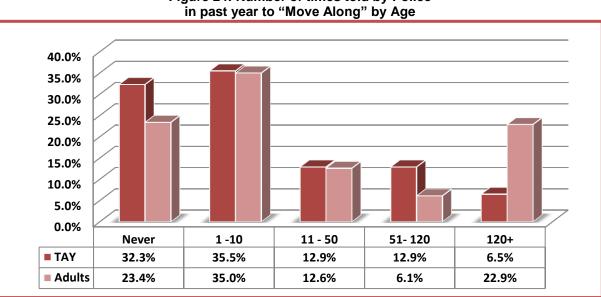


Figure 24: Number of times told by Police

Sheriffs: "Move Along:"

Homeless TAY & Adults report even higher rates of being asked to "Move Along" by the Sheriff than the Police- 69.4% & 77.1% respectively [Figure 25]

Both TAY and homeless adults reported even higher rates of harassment [69.4% and 77.1% respectively] by being told by Sheriffs to "move along" while being in public spaces compared to the Police. [Figure 25]

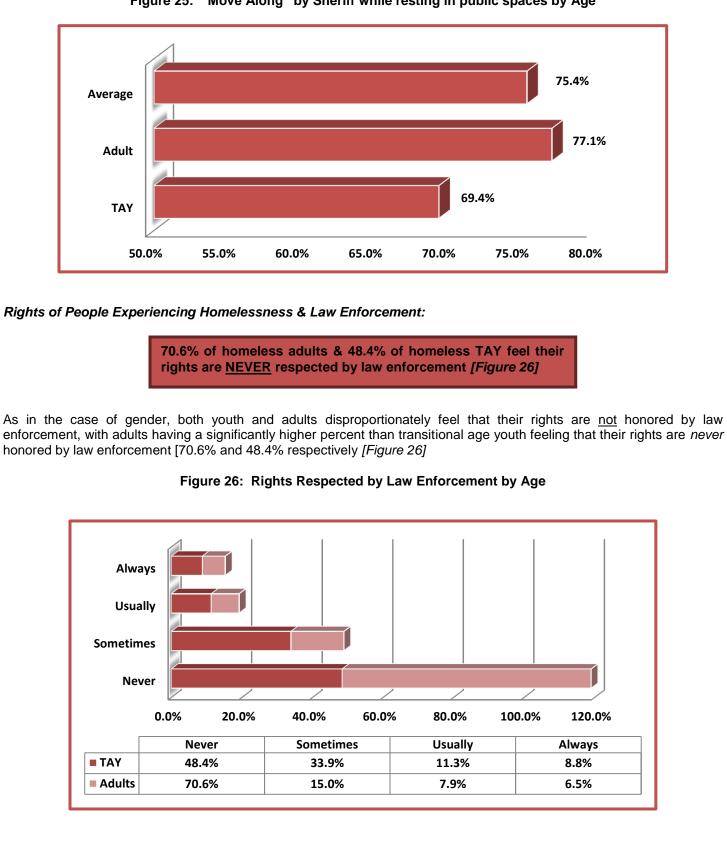


Figure 25: "Move Along" by Sheriff while resting in public spaces by Age

Discharge "Planning:" Discharge to the streets:

HOSPITALS: 66.7% of homeless TAY and 64% of homeless adults are discharged to the streets from local hospitals

65.6% of homeless adults and 52.9% of homeless TAY are JAILS: discharged to the streets by County Jail [Figure 27]

In a similar pattern related to gender, TAY & homeless adults are routinely discharged to the streets. With the exception of the foster care system, TAY and homeless adults generally have the same experience in being discharged to the streets from the major facilities, including county jail, hospitals, mental health and drug treatment facilities, and emergency shelters. [Figure 27]

Again, the overwhelming reason why homeless people are discharged to the streets is because of the lack of emergency shelter bed capacity and the lack of affordable and accessible housing.

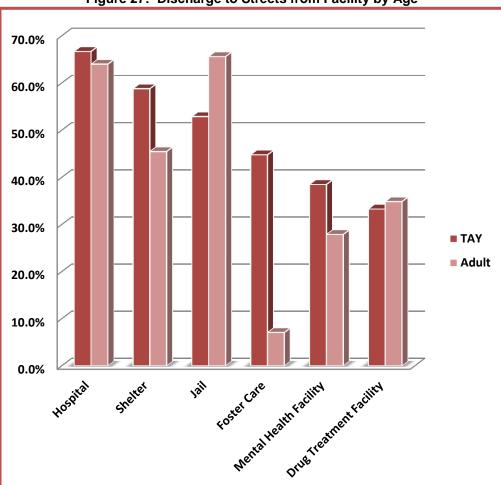


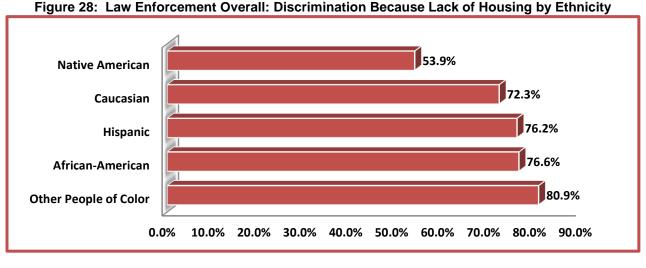
Figure 27: Discharge to Streets from Facility by Age

ETHNICITY: Discrimination & Harassment

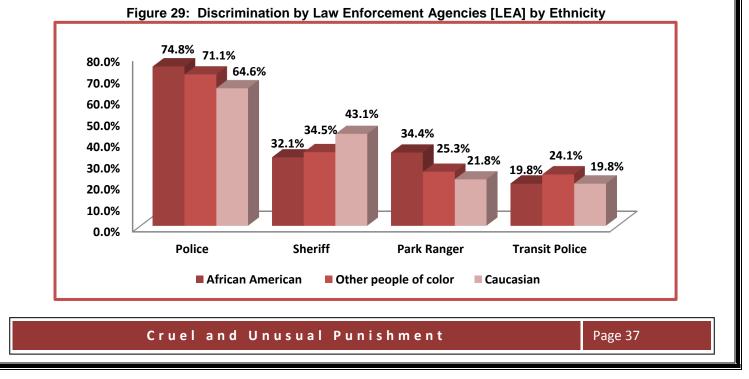
Law Enforcement:

Overall, 75% of people of color experiencing homelessness felt discriminated against by law enforcement due to their homeless status by law enforcement, compared to 72.3% of Caucasian homeless people. *[Figure 28]*

Overall, 75% of people experiencing homelessness felt discriminated against by law enforcement due to their homeless status by law enforcement. Specifically, 75.4% of homeless people of color felt discriminated against by law enforcement because of lack of housing, compared to 72.3% of Caucasian homeless people. *[Figure 28]*



As Figure 29 below indicates, the ranking of discrimination by law enforcement follows the same pattern as in gender and age with Police, followed by Sheriff, Park Rangers, Transit Police and Private Security.



Discrimination & People of Color:

The ratio of homeless people of color to homeless Caucasian homeless people feeling discriminated against by different law enforcement agencies ranged from 1.1 times higher [Police] to 3.5 times higher [Transit Police] [Table 5]

However, different ethnic groups report different experiences of discrimination based on which specific law enforcement agency they identified. Table 5 combines homeless people of color [African American and other people of color] and compares it to homeless Caucasian responses to feeling discriminated against due to lack of housing. In every case, homeless People of Color had higher to significantly higher feelings of being discriminated against by the different law enforcement agencies than did Caucasian homeless people. The ratio ranged from 1.1 times higher for the Police to 3.5 times higher for the Transit Police.

Table 5: Summary of % Feeling Discrimination by Law Enforcement Agencies: Ratio of Homeless People of Color compared to Homeless Caucasian

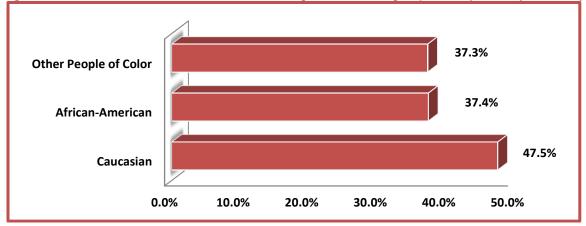
Law Enforcement Agency	People of Color	Caucasian	Ratio of People of Color to Caucasian
Police	69.1%	64.6%	1.1 times higher
Sheriff	59.2%	43.1%	1.4 times higher
Park Ranger	66.7%	21.8%	3.06 times higher
Transit Police	68.3%	19.8%	3.5 times higher

Harassment: Sheriff & "Move Along:"

Caucasian homeless people felt slightly more harassed by being asked by Sheriff to "Move Along" than African-American homeless people: 47.5% compared to 37.4% respectively *[Figure 30]*

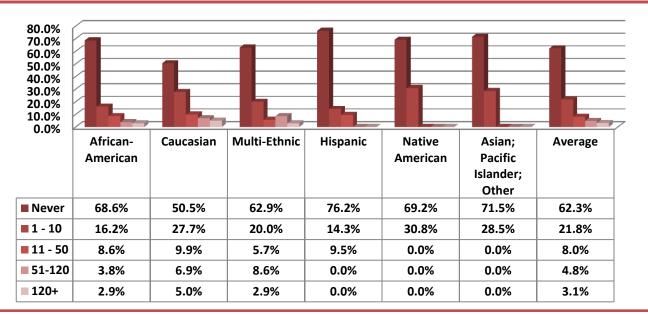
A slightly different pattern emerges as it relates to harassment by being told to "move along" from public spaces by the Sheriff: Caucasian homeless people felt slightly more harassed [47.5%] than African-American homeless people [37.4%] and or Other People of Color [34.3%]. If you combine African-American and Other People of Color [52%], it is only slightly higher than the Caucasian homeless people's responses of 48%. [Figure 30]

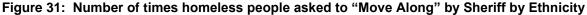
Figure 30: Sheriff's enforcement of "Move Along" while resting in public spaces by Ethnicity



Caucasian homeless people are asked to move along [1 - 120+ times] almost half the time [49.5%] compared to 37.1% by multi-ethnic homeless people, 36% for Hispanics and 31.5% for African – Americans. [Figure 31]

The same pattern emerges as it relates to the number of times different ethnic groups are told to "move along" by the Sheriffs. Overall, Caucasian homeless people are asked to move along [1 - 120+ times] almost half the time [49.5%] compared to 37.1% by multi-ethnic homeless people, 36.% for Hispanics and 31.5% for African – Americans. Even combining all the people of color [31.6%%], the number of times Caucasian homeless people are asked to move along from public spaces is significantly higher. [Figure 31]





Rights of People Experiencing Homelessness & Law Enforcement:

77.4% of African-American homeless people felt their rights were <u>NEVER</u> respected by Law Enforcement compared to 54.5% of Caucasian homeless people [*Figure 32*]

Overwhelming homeless people of color, led by Asian and African-American people experiencing homelessness, felt that their rights are <u>not</u> respected by law enforcement, compared to Caucasian people experiencing homelessness [100%, 77.4% compared to 54.5% respectively]. Figure 32 summarizes these feelings by ethnicity.

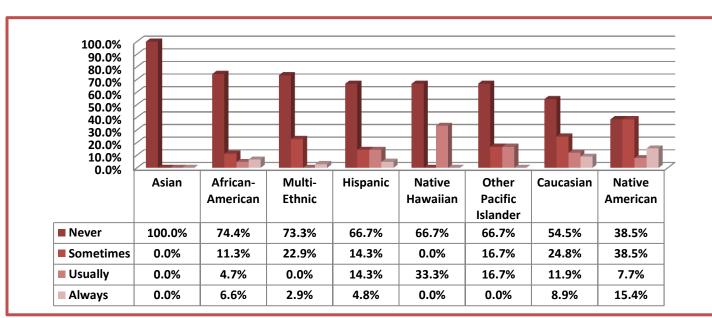


Figure 32: Rights Respected by Law Enforcement by Ethnicity

Discrimination by Ethnicity: Business; Medical Providers and Social Service Agencies:

All homeless people of color felt more discriminated against by businesses than Caucasian homeless people – 54.3% to 41.4% respectively [*Figure 33*]

Business: Generally, multi-ethnic homeless people feel slightly more discriminated against by businesses followed by Caucasian homeless people and African-Americans. [Figure 33]

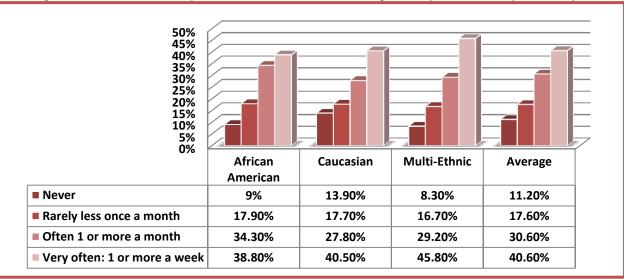


Figure 33: How often respondents feel discriminated against by Business by Ethnicity

However, if you combine "rarely", "often" and "very often" responses, Caucasian homeless people felt more discriminated against than African-American and multi-ethnic homeless people taken individually. Combining all people of color responses, the feeling of being discriminated against by businesses is higher [54.3%] than for Caucasian homeless people [41.1%]. [*Figure 34*]

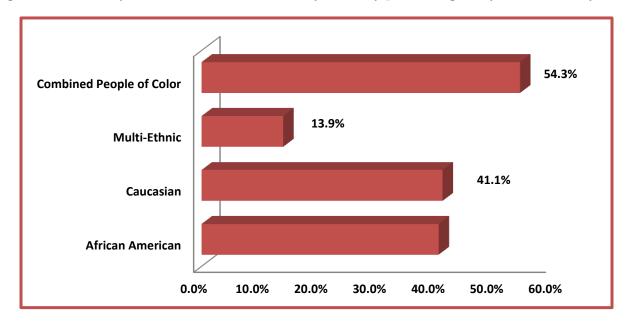


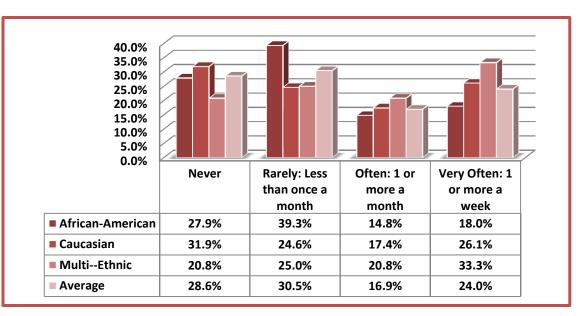
Figure 34: Summary of Business Discrimination by Ethnicity [combining rarely; often and very often]

Medical providers:

All homeless people of color felt more discriminated against by medical providers than Caucasian homeless people – 57.3% to 42.7% respectively [*Figure 35*]

The same pattern in responses exists for feeling discriminated by medical providers as it does for businesses - generally, multi-ethnic homeless people feel more discriminated against by medical providers followed by Caucasian homeless people and African-Americans. *[Figure 35]*





Again, as for businesses, if you combine "rarely", "often" and "very often" responses, Caucasian homeless people feel more discriminated against by medical providers than African-American and multi-ethnic homeless people taken individually.

Combining all people of color responses, the feeling of being discriminated against by medical providers is higher [57.3%] than for Caucasian homeless people [42.7%]. [Figure 36]

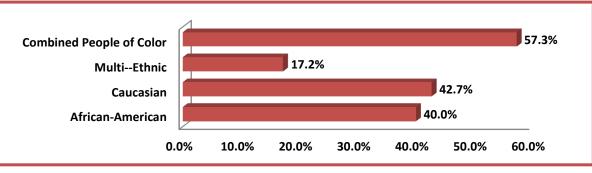


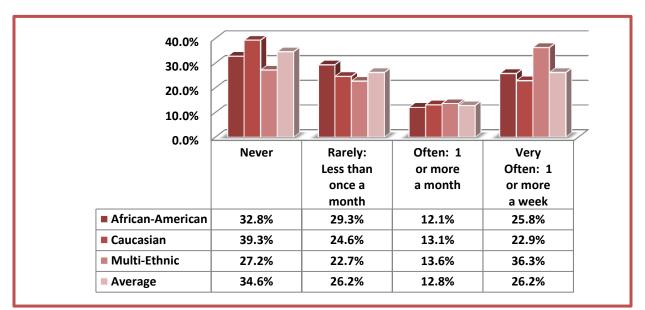
Figure 36: Summary of Medical Provider Discrimination by Ethnicity [combining rarely; often and very often]

Social Service Providers:

61.1% of homeless people of color feel discriminated against by social service providers compared to 38.9% of Caucasian homeless people or <u>1.6 times higher</u> [Figure 38]

A slightly different pattern in responses emerges for feeling discriminated by social service providers, compared to businesses and medical providers - generally, multi-ethnic homeless people feel more discriminated against by social service providers followed by African-Americans homeless people and then Caucasian homeless people. *[Figure 37]*

Figure 37: How often respondents feel discriminated against by Social Service Providers by Ethnicity



In combining "rarely", "often" and "very often" responses, African-American homeless people feel slightly more discriminated against by social service providers than Caucasian and multi-ethnic homeless people taken individually. Combining all people of color responses, the feeling of being discriminated against by social service providers is significantly higher [61.1%] than for Caucasian homeless people [38.9%] - 1.6 times higher. [Figure 38]

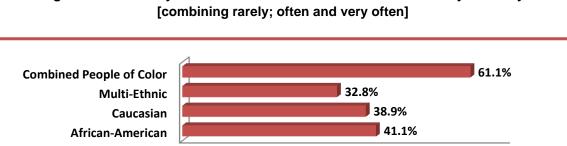


Figure 38: Summary of Social Service Providers Discrimination by Ethnicity

As Figure 39 highlights, Other People of Color felt more discriminated against by business and medical providers, while Caucasians felt more discriminated by local business followed by African-American and Other People of Color.

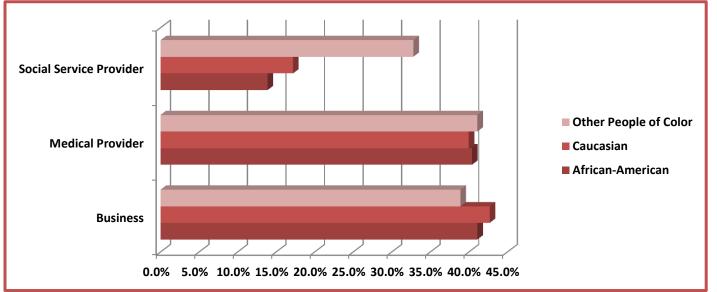
30.0% 40.0% 50.0% 60.0% 70.0%

20.0%

0.0%

10.0%





Discharge "Planning:" Discharge to the streets:

JAIL: 100% of homeless Hispanics; 79.9% of African-American; 77.8% of Other People of Color & 64.3% of Caucasian homeless people were discharged to the streets from County Jail;

HOSPITALS: 79.9% of homeless African-American; 79% of Other People of Color; 75% of Hispanic & 63% of Caucasian homeless people were discharged to the streets from local hospitals. *[Figure 40]*

As in gender and age, all ethnic groups are routinely discharged to the streets from all the major facilities, including county jail, hospitals, mental health and drug treatment facilities, foster care and emergency shelters.

The overwhelming reason why homeless people are discharged to the streets is because of the lack of emergency shelter bed capacity and the lack of affordable and accessible housing.

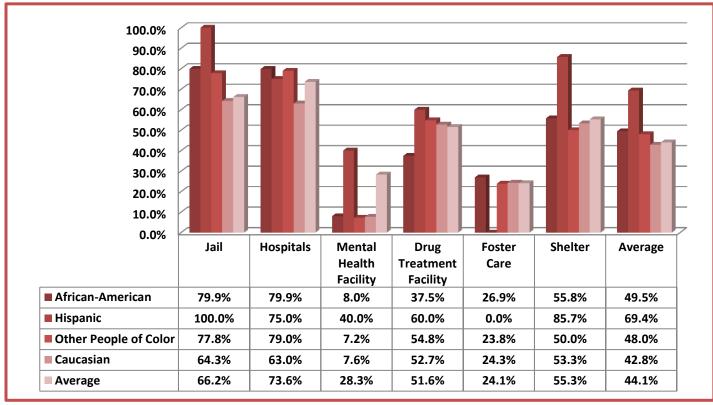


Figure 40: Discharge to Streets from facility by Ethnicity

LOCAL HOMELESS BILL OF RIGHTS



94% of the people experiencing homelessness, regardless of gender, age or ethnicity, that SRCEH surveyed support a Sacramento Homeless Bill of Rights [Table 6]

IN THEIR OWN WORDS

"Some of us are seeking ACLU intervention against the police. Thank you so much for doing this survey and asking about support for a Homeless Bill of Rights

Table 6 shows overwhelming support regardless of gender, age or ethnicity. Overall, 94.2% of those surveyed supported a Sacramento Homeless Bill of Rights. Specifically, they "support advocating for a Sacramento Homeless Bill of Rights in order to protect the civil rights of people experiencing homelessness and to prevent further discriminatory actions against those without housing."

Table 6: Support for local Homeless Bill of Rights by Gender; Age & Ethnicity

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

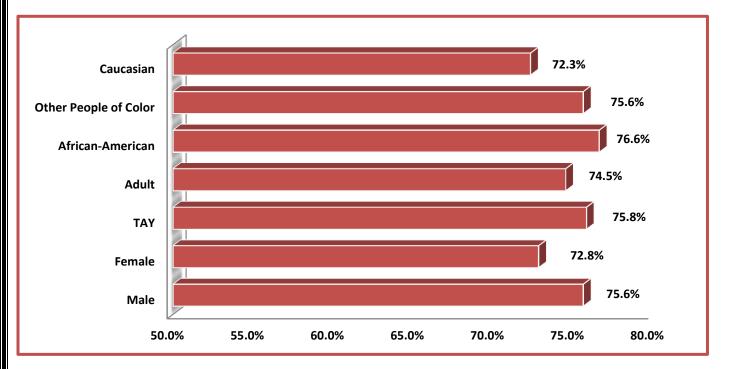


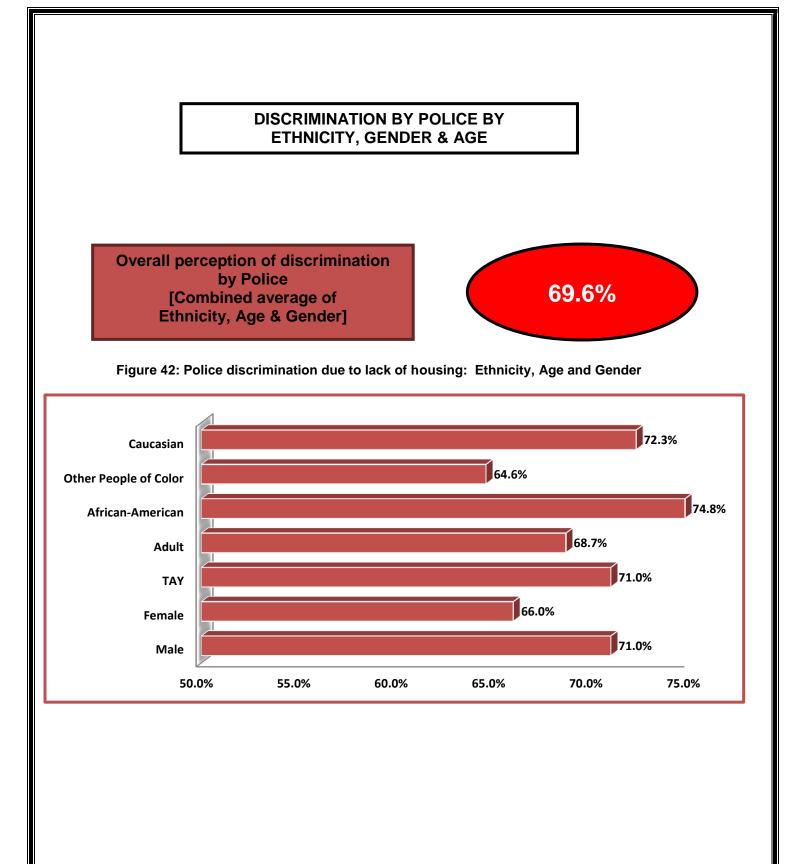
SUMMARY

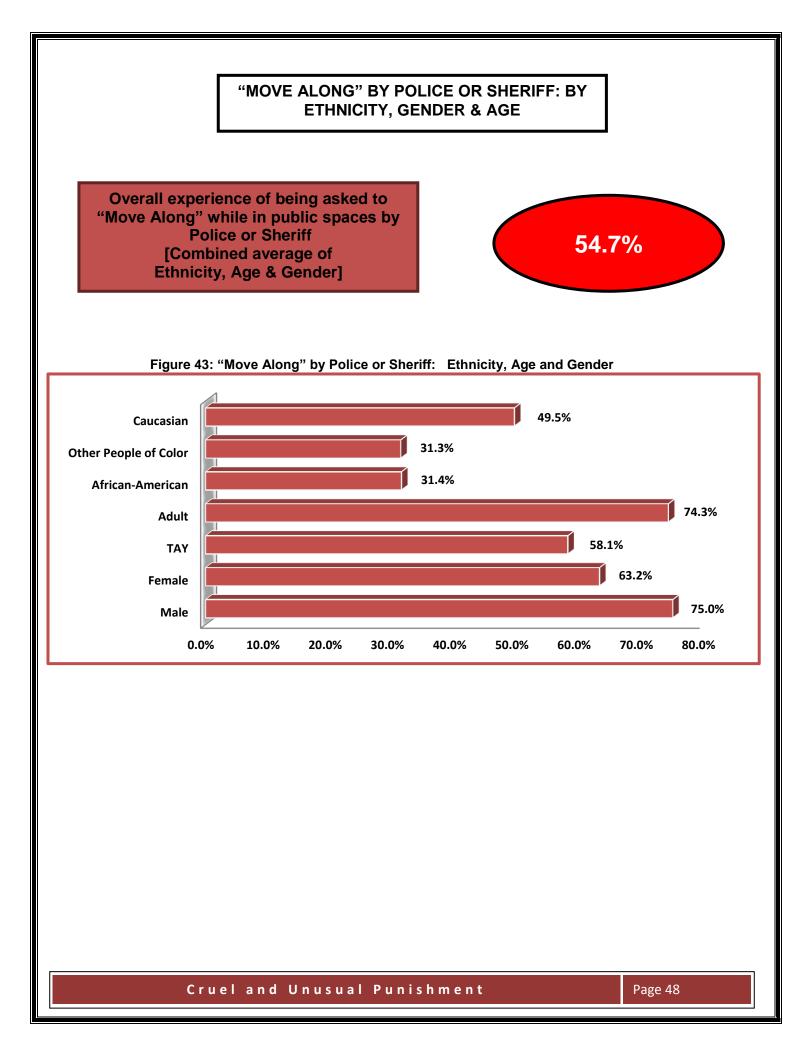
DISCRIMINATION BY LAW ENFORCEMENT AGENCY BY ETHNICITY, AGE & GENDER

Overall perception of discrimination by Law Enforcement by [Combined average of Ethnicity, Age & Gender] 74.8%

Figure 41: Law Enforcement discrimination due to lack of housing: Ethnicity, Age and Gender







DISCHARGE TO THE STREETS BY JAIL, HOSPITALS & SHELTERS: BY ETHNICITY, GENDER & AGE



HOSPITALS: Discharged to the Streets [Combined average of Ethnicity, Age & Gender]

SHELTERS: Discharged to the Streets [Combined average of Ethnicity, Age & Gender]

Cruel and Unusual Punishment

80.3%

79.3%

62.6%

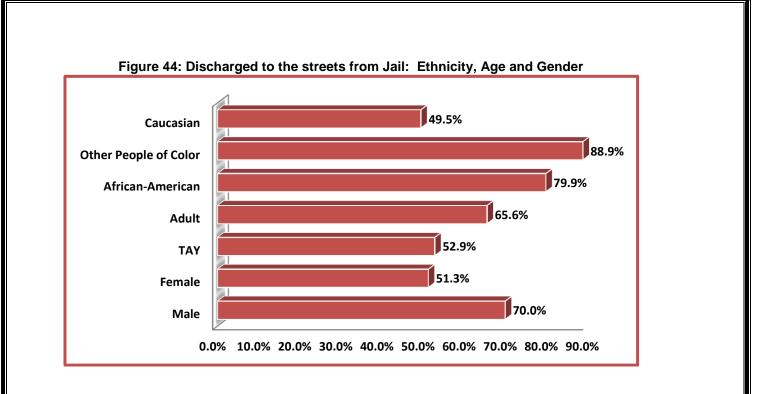
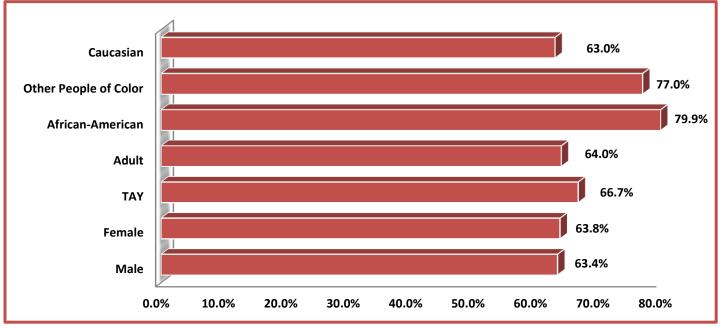


Figure 45: Discharged to the streets from Hospitals: Ethnicity, Age and Gender



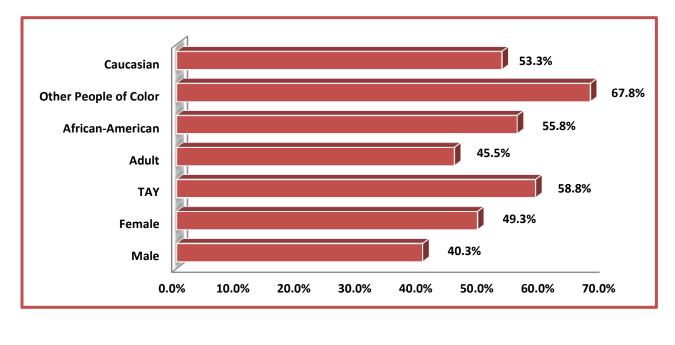
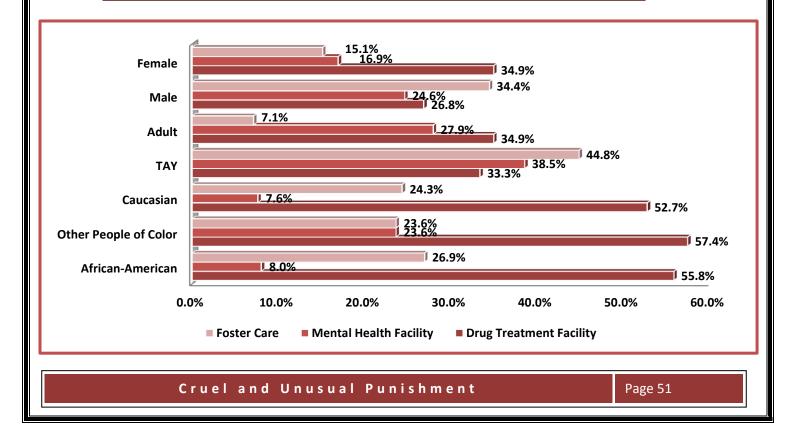
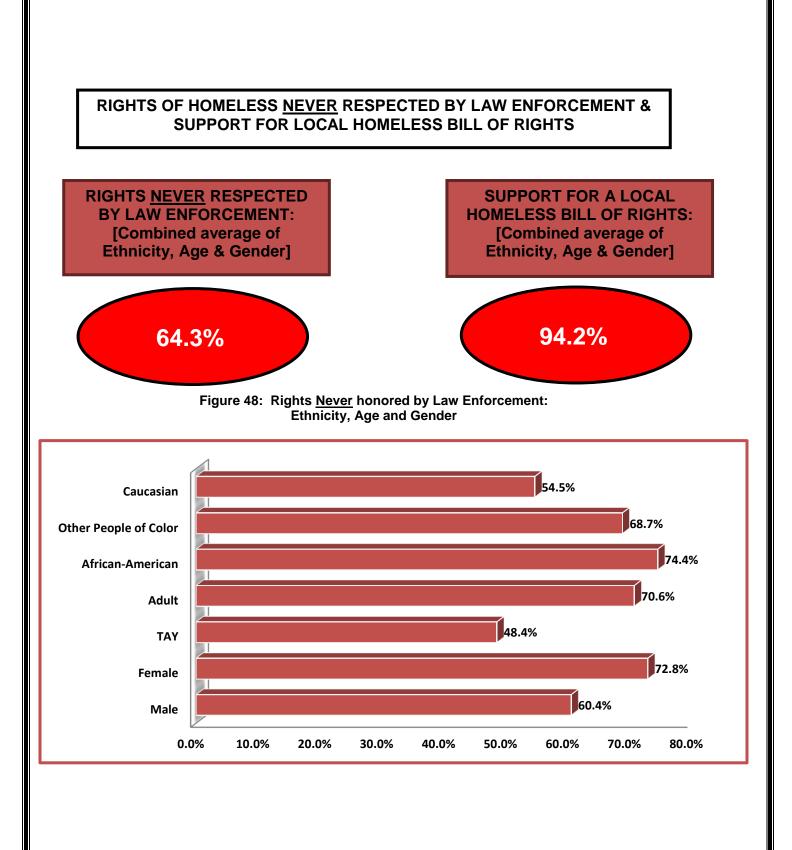


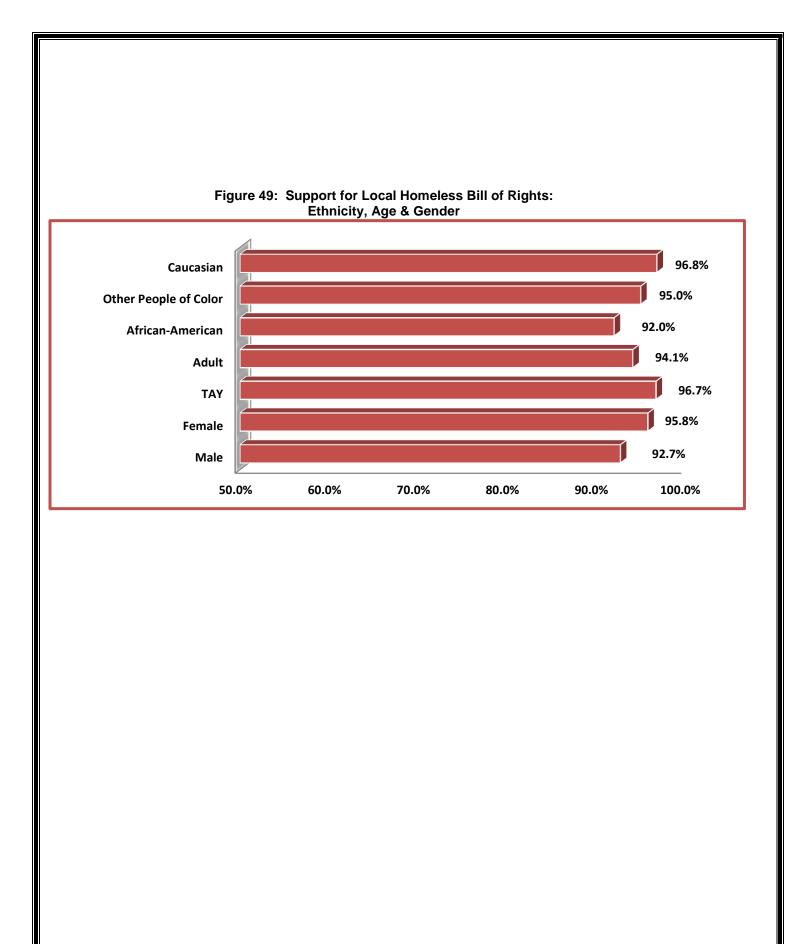
Figure 46: Discharged to the Streets from Shelters: Ethnicity, Age and Gender

Table 47: Discharged to the Streets from Drug Treatment & Mental Health Facilities and Foster Care: Ethnicity, Age and Gender

Combined Average of Ethnicity; Age & Gender: Drug Treatment Facility: 47.8%; Foster Care: 25.2%; Mental Health Facility: 24.3%







RECOMMENDATIONS

- 1. Moratorium on the enforcement of the anti-camping ordinance and CoC community planning process in 2016 17 to develop a decriminalization policy for 2017 HUD's CoC Notice of Funding Availability [NOFA].
 - A. SRCEH and our coalition partners call for an immediate moratorium on the enforcement of the anti-camping ordinance. It is punitive, counter-productive, and until there is enough affordable housing in Sacramento, according to the federal Department of Justice [DOJ] is "cruel and unusual punishment" of people experiencing homelessness. Sacramento is out of step with the direction of federal homeless policy, led by HUD, DOJ and the United States Interagency Council on Homelessness [USICH].
 - **B.** Additionally, HUD has served notice to Continuum of Cares [CoC] nationally in their 2015 Notice of Funding Availability [NOFA] that they will potentially lose precious points [in this NOFA it was 2 points], equating to potential loss of funding, if communities continue to criminalize homeless people.

The 2015-16 NOFA was a "check the box" exercise, with one of the boxes being "does the community have a plan to move away from the criminalization of homeless people?" which Sacramento currently does not. SRCEH calls upon SSF to create an inclusive community planning process to create such a plan for the 2016 – 2016 NOFA.

5 Reasons to Support the Moratorium on Anti-Camping Ordinance

- 1. Lack of shelter capacity and lack of affordable & accessible housing: no alternative but to sleep outside
- 2. Ordinance runs counter to federal policy: DOJ states that "if homeless people have nowhere to go," the Ordinance violates the 8th Amendment as "cruel & unusual punishment"
- 3. HUD has stated that communities that continue to criminalize homeless may face a loss of federal funding
- 4. Current enforcement of the ordinance by Police and County Park Rangers is expensive tax payers money would be better used on services and housing
- 5. The citations create barriers to housing, employment and services

Los Angeles County Board of Supervisors in their January 8, 2016 draft, *Recommended Strategies to Combat Homelessness*, included a recommendation "instructing the Sheriff to develop a decriminalization policy & support statewide efforts to decriminalize homelessness"

- 2. Sacramento City & County adopt of local "Homeless Bill of Rights"," including adding people experiencing homelessness as a protected class & Support SB 608:
 - A. 94% of the respondents to our survey said they supported advocating for a local homeless bill of rights. SRCEH calls upon the City Council and Board of Supervisors to adopt of local "Homeless Bill of Rights," modeled after SB 608 [D-Liu], the *California Right to Rest Act* that will be considered by the CA State Legislature in early January, 2016.
 - B. Protected Class: The City Councils of Madison, WI and Bloomington, IN have added people experiencing homelessness to their list of "protected class" members of their community, which includes race, color, religion, sexual orientation and disability. SRCEH recommends the City Council and Board of Supervisors add "homeless status" as a protected class that protects people experiencing homelessness from discrimination, particularly as it relates to housing and employment.
 - **C.** Sacramento City Council and Board of Supervisors adopt a resolution to support the state *California Right to Rest Act* [D-Liu].

3. Homeless Declaration of a State of Emergency, based on inclusive community process: Increasing cities have declared a "homeless state of emergency," including Los Angeles, Seattle, San Jose, San Diego, Portland, Seattle and the State of Hawaii. Such a declaration can expedite the renovation of existing structures to be used, for example, as emergency shelters, as well as the creation of affordable housing by relaxing zoning codes and other land use regulations.

However, there is also potentially a very negative downside to such a declaration. In Los Angeles, local homeless advocates including the Los Angeles Community Action Network [LACAN], fear that \$100m the Los Angeles City Council passed in declaring a homeless state of emergency will follow the same pattern as the current \$100 million spent on homelessness by the City [2015 Chief Administrative Officer report to City Council on results of "homeless audit], with \$86 million going to the Los Angeles Police Department [LAPD]. In November, 2015 LACAN launched an organizing campaign to call for the creation of an inclusive community process that will drive the funding allocation of the \$100 million.

SRCEH calls upon the City and County to declare a homeless state of emergency, only after the City and County has created an inclusive community process, including people experiencing homelessness and other key stakeholders that will create a community consensus on the wording of the declaration and what the funds will be used to support.

4. Expand the funding sources for the City & County Affordable Housing Trust Fund:

Currently the City and County Affordable Housing Trust Fund has less than \$10 million combine, funded by only one source – a commercial linkage fee.

SRCEH feels it is critical that "we keep our eyes on the prize," in this case affordable and accessible housing. While we implement the immediate and short term recommendations in this report to address our homeless crisis, the longer term strategy is "housing, housing and more housing." We need to build our way out of homelessness and not try to arrest our way out.

5. Zero Tolerance Policy on "discharging people to the streets:"

In 1994, the State of Massachusetts mandated zero tolerance for discharge to homelessness in response to pressure generated by the Massachusetts Housing and Shelter Alliance (MHSA). Research conducted by MHSA identified state systems that were discharging clients without stable housing options. As a result, state agencies eventually adopted common discharge planning procedures.

Additionally, the HUD McKinney Act requires states, counties, and city governments that apply for continuum of care funds to certify that their communities have policies and protocols in place to prevent the discharge of individuals into homelessness.

Nevertheless, communities, including Sacramento, routinely discharge people to the streets with the major offenders being jails, hospitals and foster care, as documented in this report. SRCEH also know how hard discharge planners in these three system work to try to find places to place people, but are exacerbated by the lack of emergency shelter space and affordable housing.

SRCEH recommends that Sacramento City & County adopt a "Zero Tolerance Policy" on discharging people to the streets and work with SSF to hold a community summit in the first quarter of 2016 on this crisis and how the community public and private agencies can adopt common discharge planning procedures as in MA.

6. Law Enforcement:

A. Create multi-disciplinary teams and integration between the City's Police Impact Team, Sacramento Steps Forward's [SSF] Common Cents Team and other homeless navigator teams.

SRCEH supports the Sacramento Police Department's *Impact Team*, although currently it is only two officers. Additionally, SRCEH supports the *Common Cents* team and the various other homeless street navigation teams devoted to improving access to health, mental health and other services by people experiencing homelessness.

However, these programs ultimately exist in silos. We need to move beyond coordination of these separate efforts and move towards *integrated multi-disciplinary teams*, consisting of street outreach teams that pair the Impact Team with people with expertise in health, mental health, and substance abuses, so the team takes a holistic approach to their street outreach and engagement efforts.

SRCEH feels strongly that this approach should be adopted by all law enforcement agencies in our community and detailed in this report, including the Sheriffs, Transit Police and Park Rangers.

B. Mandatory *Peace Officers Standards & Training [POST]* for all law enforcement agencies in our city and county:

SRCEH highly recommends that <u>all</u> law enforcement agencies, including police, Sheriff, Transit Police and Park Rangers, receive the POST training, with its focus on training on homeless, mental health and other issues, to sensitize all law enforcement agencies to homeless issues, and these trainings be mandatory, and ideally be "peer-to-peer."

In other words, the Impact Team would produce a training for the Sacramento Police Department that would be mandatory for all police officers in the Sacramento Police Department.

C. Create a ReEntry Center in downtown Sacramento: A comprehensive diversion strategy: The County jail releases between 50 - 100 homeless people a day from RCCC on a 24 hour basis. They are released to the streets with no housing options and few resources. We should create a downtown ReEntry Center that operates on a 7 day/24 hour basis to provide a safe haven for people coming out of jail and provide a full range of counseling services, including help with housing and employment.

7. Cultural Competency, Implicit Bias and Fair Housing Trainings:

A. Cultural Competency, Implicit Bias Training for law enforcement, medical providers, mental health and substance abuse programs and social service agencies:

Given the high levels of discrimination and harassment documented in this report, SRCEH highly recommends that all law enforcement agencies, medical providers, mental health and substance abuse programs and social service agencies that work with people experiencing homelessness receive *Cultural Competency* and *Implicit Bias* training as a mandatory element of their city, county and SSF contracts.

B. Fair Housing Training:

Additionally, SRCEH recommends that SSF conducts a mandatory *Fair Housing Training* for all its contracted agencies to help insure that <u>no</u> people experiencing homelessness in our community will be turned away from emergency shelter, transitional housing or permanent housing based on their age, gender identity, sexual orientation, race, ethnicity, religion, national origin or disability.

8. Shelter & Transitional Community:

A. Camping Safe Zones:

Create a Camping Safe Zone Pilot project that would provide homeless people, who have no alternative but to camp outside, a safe zone to camp--- include trash bins, port-a-potties, drinking water, cooking pits etc.

B. Expand funding for Year Round Shelter: Low barriers/harm reduction model:

Redirect some "mitigating impact funds" to expand winter shelter to be year round and are accessible to adults, families and youth. Remove barriers to shelter including barriers currently faced by homeless families and homeless people with pets.

C. First Steps Community:

City help site and fund First Step Communities – and make available to both homeless adults and homeless youth. First Step Communities is a transitional housing concept in line with the harm reduction model that would provide 60-100 portable sleeping cabins and a community center with a healthcare facility operated by WellSpace. The City and County should site and fund this program to significantly expand the bed capacity of the shelter and transitional housing programs in our community.

D. Funding for homeless transitional aged youth [TAY]:

WIND currently has over 100 TAY on their emergency shelter waiting list. The City, County and SSF should consider adopting a set-aside of funding to support transitional and permanent housing options for the homeless TAY in our community. For example, WIND currently has a transitional housing facility that is sitting empty due to lack of funding. An investment of \$160,000 a year could house and provide comprehensive social services to 12 TAY.

9. Health, Sanitation & Public Health:

A. Expand city and county funding for a Homeless Respite Program:

Currently WellSpace Health and the Volunteers of America [VOA] partner on an 18-bed respite program. SRCEH recommends the city and county expand this program to 50 beds to help address the current issue of hospitals discharging homeless people to the streets

B. Remove barriers to homeless mental health & substance abuse programs: Expedite SSI: Continue to remove barriers to homeless people receiving mental health and substance abuse programs, including lack of transportation, identification and long waiting lists. Additionally, expand the *SMART* program to significantly increase the number of people who can access SSI; a large number of people on the river could be considered "preemptively eligible."

C. Needle Exchange Program:

Expand the County Needle Exchange Program with City funding

D. Access to bathrooms & create Bathrooms Jobs Program:

Invest in keeping public bathrooms open for use by people experiencing homelessness; and create a Jobs Program to hire homeless people to staff the bathrooms and maintain them

E. Mobile showers program:

Fund a Homeless Mobile Showers Program based on model program operated in San Francisco

F. Portable Water Stations:

Fund Portable Water Stations based on model program operated in Humboldt County

G. Trash cans:

Expand the number of trash bins that are accessible to people experiencing homelessness.

10. Employment: Coordinated Exit:

In our 2010 Homeless Employment Survey, 90% of the 400 homeless people surveyed were unemployed and the same 90% wanted to go back to work and 40% had a certificate or license in marketable skills, such as construction, plumbing and electrical work.

The County should fund SETA's not defunct "Pathway to Employment," which was a highly successful homeless employment program. SSF's Executive Director, Ryan Loofbourrow, calls this employment and income strategy a "coordinated exit" from homelessness.

The current emphasis on "Rapid Rehousing" will only be effective if at least two conditions are met: [1] An adequate supply of affordable housing: The Homeless Prevention & Rapid Rehousing Program [HPRP] in 2007 was effective in our community because the rental vacancy rate was 8%. Currently, the rental vacancy rate is less than 2% making it very difficult for SSF to place people experiencing homelessness into housing.

[2] Am employment and income strategy coupled with the housing: many direct service providers participating in the HPRP program in our community reported people falling back into homelessness because of the lack of an employment and income strategy. Once the HPRP rental subsidy was exhausted, many families became homeless again because they did not have the necessary income to afford the rent, as well as food, health care and clothes for their children.

SRCEH is supportive of the direction of SSF in expanding funding for homeless employment programs and encourages SSF to continue to expand this effort.

RECOMMENDATIONS	RESPONSBILE PARTY[S]
Moratorium on Enforcement of Anti-Camping	City Council
Ordinance	Board of Supervisors
City & County Adopt Homeless Bill of Rights,	City Council
including homeless people as a Protected Class	Board of Supervisors
Homeless Declaration of State of Emergency	City Council
	Board of Supervisors
Expand sources of funding for City/County Affordable	City Council
Housing Trust Funds	Board of Supervisors
Zero Tolerance Policy on discharging homeless	City Council
people "to the streets"	Board of Supervisors
	County Department of Health &
	Human Services
	Sheriff's Department
	County Department of Human
	Assistance
	Local Hospitals: Kaiser, Sutter,
	Mercy and UC Davis
	Mental Health & Drug Treatment Facilities
Law Enforcement:	Sacramento Steps Forward
A. Create Multi-Disciplinary Teams	All Navigator Teams
B. Mandatory POST Training, focused on homeless	[hospital, jail, library etc.]
issues, for all law enforcement	Police Department
C. Create ReEntry Center in Downtown Sacramento	Sheriff Department
	Sacramento County Park Rangers
	Sacramento Regional Transit
Cultural Competency; Implicit Bias & Fair Housing	All law enforcement agencies,
Training	medical providers, mental health,
	substance abuse and
	social service agencies
Shelter & Transitional Housing:	City Council
A. Camping Safe Zones	Board of Supervisors
B. Expand funding for Year-Round Shelter	Board of Supervisors
C. Site & Fund First Steps Community	
D. Funding for shelter & housing for transitional age	
youth	
Health, Sanitation & Public Health:	County Department of Health &
A. Expand funding for Homeless Respite Program	Human Services
B. Remove barriers to accessing mental health &	Board of Supervisors
substance abuse programs	
C. Expand funding for Needle Exchange Program	
D. Increase access to public bathrooms & create	
Bathroom Jobs Program	
E. Fund Mobile Shower Program F. Fund Portable Water Stations	
G. Expand number of trash cans in downtown & mid-	
town	
Employment: Expand funding for SETA's "Pathways	Sacramento Steps Forward
to Employment Program & SSF's Homeless	SETA
Employment Initiatives	City Council
	Board of Supervisors
	· · · · · · · · · · · · · · · · · · ·

Table 7: Summary of Recommendations & Responsible Party[s]

RESPONSIBLE PARTY	RECOMMENDATIONS
Board of Supervisors	 Moratorium on Enforcement of Anti-Camping
Board of Supervisors	Ordinance
	 Adopt Homeless Bill of Rights
	 Homeless Declaration of State of Emergency
	 Zero Tolerance policy for discharging people to
	the streets
	 Shelter and transitional housing recommendations
	Health, sanitation and public health recommendations
	Expand funding for SETA's "Pathways to Explorement"
	Employment"
City Council	Moratorium on Enforcement of Anti-Camping Optimenes
	Ordinance
	Adopt Homeless Bill of Rights
	Homeless Declaration of State of Emergency
	Zero Tolerance policy for discharging people to
	the streets
	Shelter and transitional housing
	recommendations
	Health, sanitation and public health
	recommendations
	Expand funding for SETA's "Pathways to
	Employment"
	r . ,
County Department of Health and Human Services	 Zero Tolerance policy for discharging people
County Department of Health and Human Services [DHHS]	
	 Zero Tolerance policy for discharging people
	 Zero Tolerance policy for discharging people to the streets
[DHHS]	 Zero Tolerance policy for discharging people to the streets Health, sanitation and public health
	 Zero Tolerance policy for discharging people to the streets Health, sanitation and public health recommendations
[DHHS] County Department of Human Assistance [DHA]	 Zero Tolerance policy for discharging people to the streets Health, sanitation and public health recommendations Zero Tolerance policy for discharging people to the streets
[DHHS] County Department of Human Assistance [DHA] Law Enforcement: Police, Sheriff, Park Rangers	 Zero Tolerance policy for discharging people to the streets Health, sanitation and public health recommendations Zero Tolerance policy for discharging people to the streets Create multi-disciplinary teams
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[DHHS] County Department of Human Assistance [DHA] Law Enforcement: Police, Sheriff, Park Rangers	 Zero Tolerance policy for discharging people to the streets Health, sanitation and public health recommendations Zero Tolerance policy for discharging people to the streets Create multi-disciplinary teams Mandatory <i>POST</i> training focused on homeless issues
[DHHS] County Department of Human Assistance [DHA] Law Enforcement: Police, Sheriff, Park Rangers	 Zero Tolerance policy for discharging people to the streets Health, sanitation and public health recommendations Zero Tolerance policy for discharging people to the streets Create multi-disciplinary teams Mandatory <i>POST</i> training focused on homeless
[DHHS] County Department of Human Assistance [DHA] Law Enforcement: Police, Sheriff, Park Rangers	 Zero Tolerance policy for discharging people to the streets Health, sanitation and public health recommendations Zero Tolerance policy for discharging people to the streets Create multi-disciplinary teams Mandatory <i>POST</i> training focused on homeless issues Create a ReEntry Center in Downtown Sacramento
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[DHHS] County Department of Human Assistance [DHA] Law Enforcement: Police, Sheriff, Park Rangers and Sacramento Regional Transit	 Zero Tolerance policy for discharging people to the streets Health, sanitation and public health recommendations Zero Tolerance policy for discharging people to the streets Create multi-disciplinary teams Mandatory <i>POST</i> training focused on homeless issues Create a ReEntry Center in Downtown Sacramento Cultural competency, Implicit Bias and Fair Housing Training
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[DHHS] County Department of Human Assistance [DHA] Law Enforcement: Police, Sheriff, Park Rangers and Sacramento Regional Transit Local Hospitals: Kaiser, Mercy, Sutter and UC Davis	 Zero Tolerance policy for discharging people to the streets Health, sanitation and public health recommendations Zero Tolerance policy for discharging people to the streets Create multi-disciplinary teams Mandatory <i>POST</i> training focused on homeless issues Create a ReEntry Center in Downtown Sacramento Cultural competency, Implicit Bias and Fair Housing Training Zero Tolerance policy for discharging people to
[DHHS] County Department of Human Assistance [DHA] Law Enforcement: Police, Sheriff, Park Rangers and Sacramento Regional Transit Local Hospitals: Kaiser, Mercy, Sutter and UC Davis Local Mental health and drug treatment facilities	 Zero Tolerance policy for discharging people to the streets Health, sanitation and public health recommendations Zero Tolerance policy for discharging people to the streets Create multi-disciplinary teams Mandatory <i>POST</i> training focused on homeless issues Create a ReEntry Center in Downtown Sacramento Cultural competency, Implicit Bias and Fair Housing Training Zero Tolerance policy for discharging people to the streets
[DHHS] County Department of Human Assistance [DHA] Law Enforcement: Police, Sheriff, Park Rangers and Sacramento Regional Transit Local Hospitals: Kaiser, Mercy, Sutter and UC Davis	 Zero Tolerance policy for discharging people to the streets Health, sanitation and public health recommendations Zero Tolerance policy for discharging people to the streets Create multi-disciplinary teams Mandatory <i>POST</i> training focused on homeless issues Create a ReEntry Center in Downtown Sacramento Cultural competency, Implicit Bias and Fair Housing Training Zero Tolerance policy for discharging people to the streets
[DHHS] County Department of Human Assistance [DHA] Law Enforcement: Police, Sheriff, Park Rangers and Sacramento Regional Transit Local Hospitals: Kaiser, Mercy, Sutter and UC Davis Local Mental health and drug treatment facilities	 Zero Tolerance policy for discharging people to the streets Health, sanitation and public health recommendations Zero Tolerance policy for discharging people to the streets Create multi-disciplinary teams Mandatory <i>POST</i> training focused on homeless issues Create a ReEntry Center in Downtown Sacramento Cultural competency, Implicit Bias and Fair Housing Training Zero Tolerance policy for discharging people to the streets Create multi-disciplinary teams Cultural competency, for discharging people to the streets
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[DHHS] County Department of Human Assistance [DHA] Law Enforcement: Police, Sheriff, Park Rangers and Sacramento Regional Transit Local Hospitals: Kaiser, Mercy, Sutter and UC Davis Local Mental health and drug treatment facilities Sacramento Steps Forward	 Zero Tolerance policy for discharging people to the streets Health, sanitation and public health recommendations Zero Tolerance policy for discharging people to the streets Create multi-disciplinary teams Mandatory <i>POST</i> training focused on homeless issues Create a ReEntry Center in Downtown Sacramento Cultural competency, Implicit Bias and Fair Housing Training Zero Tolerance policy for discharging people to the streets Create multi-disciplinary teams Cultural competency, Implicit Bias and Fair Housing Training Zero Tolerance policy for discharging people to the streets Expand funding for SETA's "Pathways to Employment"
[DHHS] County Department of Human Assistance [DHA] Law Enforcement: Police, Sheriff, Park Rangers and Sacramento Regional Transit Local Hospitals: Kaiser, Mercy, Sutter and UC Davis Local Mental health and drug treatment facilities Sacramento Steps Forward Sacramento Employment & Training Agency	 Zero Tolerance policy for discharging people to the streets Health, sanitation and public health recommendations Zero Tolerance policy for discharging people to the streets Create multi-disciplinary teams Mandatory <i>POST</i> training focused on homeless issues Create a ReEntry Center in Downtown Sacramento Cultural competency, Implicit Bias and Fair Housing Training Zero Tolerance policy for discharging people to the streets Create multi-disciplinary teams Cultural competency, Implicit Bias and Fair Housing Training Zero Tolerance policy for discharging people to the streets Expand funding for SETA's "Pathways to Employment" Expand funding for SETA's "Pathways to
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Table 8: Summary of Responsible Party and Recommendations

APPENDIX I: Methodology

Survey instrument: SRCEH reviewed the homeless discrimination surveys of the Western Regional Advocacy Project, the National Coalition for the Homeless [Washington, DC report] and the Homeless Planning Council of Delaware to craft the *SRCEH Homeless Discrimination Survey*. We immediately realized that these surveys were homeless adult specific and SRCEH wanted to include survey questions more specific to homeless transitional age youth [TAY]. We enlisted the help of staff and homeless youth at WIND Youth Services to finalize our survey instrument. Our goal was to see if there were any differences in TAY experiences with law enforcement compared to homeless adults.

Training and implementation: SRECH trained all the volunteers that implemented the survey, including WIND Youth Services, Women's Empowerment and the Pilgrimage Project. SRCEH also had Regina Range, SRCEH Board member and formerly homeless graduate of Women's Empowerment, out stationed at Loaves & Fishes Tommy Clinkenbeard Legal Clinic to survey people experiencing homelessness using the services of the clinic.

Database design, Codebook and Statistical Package for Social Sciences [SPSS]: SRCEH utilized the services of an MSW [Masters in Social Work] graduate student to design the database and develop the Codebook for the data entry, utilizing SPSS [Statistical Package for Social Sciences]. Sherry Hao, WIND staff, and SRCEH Executive Director, Bob Erlenbusch did the data input and Sherry Hao used SPSS to create the raw data using "level of significance" [.05 or better] and then based on those results ran "cross tabs" of the demographic information against respondents answers. Bob & Sherry analyzed the results and Bob wrote the description of the findings.

Recommendations: SRCEH then convened the SRCEH *Homeless Civil Rights Working Group*, consisting of direct service providers, advocates, and currently and formerly homeless people to review the analysis and create draft recommendations. The *Working Group* recommendations were reviewed, finalized and adopted by the SRCEH Board of Director.

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