The Hidden Costs of Tackling Homelessness

Promoting and encouraging excellence in city management
Your Panel

**Presider:**
Kurt Wilson  
Davenport Institute Trainer, Pepperdine University

**Roxanne Diaz**  
Shareholder, Richard Watson & Gershon

**Liz Andrade**  
Chief Operations Director, Mercy House

**Hafsa Kaka**  
Homeless Services Manager, Santa Ana
Why You’re Here

One or more may apply:

• You recognize there is a homelessness crisis in CA
• Your city has a growing homeless population and you want to learn how to effectively care for them
• Your city is currently/soon tackling the creation of homeless shelter(s)
• You want to take proactive steps to address homelessness in your city
• You want Hafsa’s secrets for establishing a temporary homeless shelter in just 28 days
The Homelessness Crisis
(As of Jan. 2018, as reported to HUD)
Homelessness jumps 12% in L.A. County and 16% in the city; officials ‘stunned’
Here's a breakdown of those increases between 2017 and 2019:

- In **Orange County**, volunteers counted 43% more homeless people.
- In **San Bernardino County** and **Riverside Counties**, numbers increased 23% and 22% respectively.
- In **Ventura County**, the increase was 28%.
- **San Francisco** saw a 17% increase.
- In **Alameda County**, home to Oakland and Berkeley, homelessness rose 43%.
- In **Santa Clara County**, home to San Jose and Silicon Valley, it jumped 31%.
- In the Central Valley, Kern County **reportedly** saw a 50% jump since 2017.
- In **San Joaquin** County, the increase was 69%.
Why California?

Unique factors:
- Weather = easier to stay unsheltered
- Largest population in U.S. (and growing)
- 5th-largest economy in the world
- Wages not keeping pace with cost of living
- Highest poverty rate in U.S.
- Lack of (affordable) housing

*Image credit: Matt Tinoco/LAist*
Challenges & Obstacles

• Not believing you have a crisis
• No/few partners willing to help
• Little political will
• No/little space for shelter(s)
• NIMBY residents
• Lack of funds
• No consensus on spending funds
• Who has jurisdiction?
  • County or City?
Mercy House

We help people find their way back home.
Mercy House – Who We Are

We provide housing and comprehensive supportive services for a variety of homeless populations which includes families, adult men, women, mothers and their children, persons living with HIV/AIDS, individuals overcoming substance addictions, and some who are physically and mentally disabled.
To be a leader in ending homelessness by providing a unique system of dignified housing opportunities, programs, and supportive services.
Mercy House – Our Goals

- Our goal is simple: to end the cycle of homelessness of those who enter our system of care.
- Last year, we set an objective of preventing or ending homelessness for 1,300 through our system. We surpassed that with 1,570 provided with housing solutions!
We pride ourselves on being a cost-effective, high-impact organization

Current Shelter Programs
- 200 Bed Shelter in Anaheim
- 200 Bed Shelter in Santa Ana
- 50 Bed Shelter in Costa Mesa
- 70 Bed Family Shelter in Orange
- Two 200 Bed Seasonal Shelter Programs

Coming Soon!
- 150 Bed Shelter in Buena Park
- 110 Bed Shelter in Oxnard
- 55 Bed Shelter in Ventura
What is the cost of not housing your homeless population?

- Current City costs that include PD/Fire/Emergency Room Visit: $3,700. Average number of times person brought to ER per year: 5. That’s $18,500.
- It’s more cost-effective for a community when people are in housing than on the street.
City of Santa Ana
Homeless Services Presentation
The “LINK”

League of California Cities Mayors and Council Members Executive Forum
June 19, 2019
The Link

✔ Featured on the April 2019 Cover of the Western City Magazine

✔ Featured National Alliance to End Homelessness– Law Enforcement and Shelter

✔ Featured Housing California Summit 2019

✔ Visit by United States Interagency Council on Homelessness

✔ Visit by State of California Homeless Emergency Aid Program Administrator

✔ Visit by Senator Feinstein's Office
Interim Homeless Shelter – The Link
Miguel Pulido, Mayor of Santa Ana
Hafsa Kaka, Homeless Services Manager
Santa Ana PIT Count History

- **Q1 2017** – O.C. Continuum of Care-led Point-In-Time (PIT) Count indicated: out of County’s 4,792 total homeless population, Santa Ana carried 1,000. 534 Sheltered, 466 Unsheltered. **20.9% of County total**.

- **Q1 2018** – Citywide PIT count indicated: Santa Ana carried 1,617 total homeless population. 587 Sheltered, 1,030 Unsheltered. A **61.7% increase in about 1 year**.

- **Q1 2019** – O.C. Continuum of Care-led PIT count indicated: out of the County’s 6,860 total homeless population, Santa Ana carried 1,769. 939 Sheltered, 830 Unsheltered. **25.8% of County total**.
The Link’s History

- September 18th 2018 – City Council approved the Agreement with Mercy House Living Center to Operate an Interim Emergency Homeless Shelter.

- **Operation Launch Pad** went live. A culmination of several City departments, the property owner, and Mercy House gathered weekly on design, construction, build out & operational plan.

- 28 Days later, on November 15th 2018 – The Link opened its doors and provided immediate shelter to individuals experiencing homelessness.
The Link
ADA Compliant Bathroom, Showers, Storage, Laundry, Meals
The Link – Outreach Efforts

- Outreach Efforts led by Santa Ana Police Department Homeless Evaluation Assessment Response Team (HEART)

  - **Operation Dignity** – November 30th to December 7th 2018
  - **Operation Safe Passage** – January 17th to 22nd 2019
  - **Ongoing “Link Outreach Collaborative”**
# The Link’s Supportive Services

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**Regular Service Partners include:**
- O.C. Health Care Agency Mental Health
  - Serve the People
    - Heart4Pets
  - Recovery/12 Step/A.A. Groups
    - CareerWise
The Link’s Data Dashboard
Linked on Santa Ana’s Homeless Services webpage.

Since Inception:
- 485+ Referrals
- Daily Intakes
- Avg. of 170 Enrolled
- Avg. of 142 Bed Nights
- Avg. of 84 Men
- Avg. of 64 Women
- Avg. of 22 Children
- Couples and Family Beds Filled
- Avg. of 10 Pets
Santa Ana Homeless Shelter
The LINK
Summary Data

Daily Summary:
As of June 6, 2019

170
Total Enrolled

142
Total Bed Nights

64
Total Women

84
Total Men

22
Total Children

2
Total New Intakes

Total Enrollment

Total Enrollment by Population

Total Referrals

LEAGUE OF CALIFORNIA CITIES
Housing Placements

Since Inception and within 100 days:

- 78 individuals connected to Permanent Supportive Housing in 100 days of operation!

Linked to:

- Permanent Supportive Housing – Housing with Supportive Services on Site ("The Orchard")
- Rapid Rehousing Rental Subsidy – Rental subsidy for apartments
- Santa Ana Housing Authority Section 8 Vouchers – rental assistance
- Family Reunification
Success Stories

The Walker Family

Mr. Armando

Mr. Kelly
The Orchard

71 Permanent Supportive Housing (PSH) Units
Homelessness: The New Normal?
Options, Tools, and Legal Limitations

Presented by: Roxanne Diaz, City Attorney
Presentation Overview

- **Key Legal Concepts**
  - 8th, 4th, and 14th Amendments
  - Equal Protection

- **“Quality of Life” Laws**
  - Camping and Storage of Property
  - Regulation of distribution of food

- **Comprehensive Strategy**
Key Legal Concepts
8th Amendment

- **Eighth Amendment**
  - Imposes substantive limits on what can be a crime.

- **Homelessness is not a crime**
  - The City cannot punish people based on their status.
  - Homelessness is a status.

- **Regulation of conduct is permissible**
  - The City can adopt and enforce ordinances to regulate, prohibit, and punish conduct.
    - Gray area: conduct that is involuntary due to status.
4th & 14th Amendment

- **Fourth Amendment**
  - Protects against unreasonable seizures.
  - Govt. interference with a property interest = seizure.

- **Fourteenth Amendment**
  - Prohibits deprivation of life, liberty, or property without due process.
  - Due process requires notice and an opportunity to be heard.
  - Individuals who are homeless have a protected property interest in their belongings and are entitled to due process.
Equal Protection

- **Equal Protection Clause**
  - California and U.S. Constitutions.
  - Similarly situated persons are to receive like treatment.

- **City laws must be enforced equally**
  - Unequal enforcement may violate equal protection if there is intentional discrimination and no rational basis for disparate treatment.
“Quality of Life” Laws
“Quality of Life” Laws

- Local “quality of life” laws
  - Intended to protect the well-being of residents and preserve the quality of public spaces.
  - Also called “anti-homeless” laws
    - Homeless more vulnerable to violations because they often inhabit public spaces.
  - Common examples:
    - Prohibitions on sleeping/camping in public spaces.
    - Prohibitions on storing possessions on public property.

- Evolving legal landscape
Camping

**Typical camping ordinance**

- Makes it unlawful to camp, occupy camp facilities, or use camp paraphernalia on public property.
  - “Camp” = to pitch a tent, sleep in, cook in, or occupy camp facilities for purpose of temporary/permanent human habitation.
- Some also prohibit camping on private property.

**Enforceable? Maybe…**

- Martin v. City of Boise: Citing a homeless person who has “no other option” but to sleep outside in public violates the 8th Amendment.
  - Conduct involuntary due to the status of being homeless & lack of available beds at local homeless shelters.
Storage of Property

**Typical storage ordinance**

- Unlawful to store personal possessions on public property.
  - “Store” = put aside or accumulate for use when needed, to put for safekeeping, or to place or leave in a location.

**Enforceable? Yes, if procedures followed.**

- *Lavan v. City of Los Angeles*: City confiscated & destroyed unattended items as part of weekly street cleaning. Enforcement violated 4th & 14th Amendments.
- Required procedures: (1) pre-removal notice, (2) impoundment of removed property, (3) 90 days storage, (4) process for owners to reclaim property.
Living in Vehicles

**Typical ordinance**

- No person shall use a vehicle parked or standing upon any City street or upon any parking lot owned by the City as living quarters either overnight, day-by-day, or otherwise.

- Enforceable? Subject to vagueness challenge.

- *Desertrain v. City of Los Angeles*: Challenged on ground ordinance was unconstitutionally vague & overbroad & other grounds. 9th Circuit invalidated the ordinance.

- San Diego’s vehicle habitation ordinance challenged.

- Carefully define what constitutes “living in your vehicle.”
Food Distribution in Parks

- **Food sharing ordinances**
  - Political and religious groups have challenged food-sharing ordinances.
  - Very few cases. However, if carefully structured, likely to be upheld.
  - First Amendment challenges?
  - Ordinance should be tailored to protect public health and safety and ensure that city residents enjoy benefits of city parks.
Comprehensive Strategy
Developing a comprehensive homelessness strategy

- Focusing on law enforcement alone is insufficient.
- Reducing number of unsheltered homeless takes a multi-pronged approach.
- Must balance needs & rights of homeless persons and larger community.
Developing a comprehensive homelessness strategy

Could include the following elements:

- Inventory public & private service providers.
- Develop arrangements with local shelters & service providers for info-sharing, transportation, referrals.
- Work with County & other cities to identify sufficient shelter space, other housing options.
- Engage homeless population, homeless advocates, business owners, other stakeholders.
- Consider ordinances to restrict camping on public/private property, restrict tents or other structures, prohibit storage of personal property.
Thank you!

Roxanne Diaz
Richards, Watson & Gershon
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1. There is a growing homelessness crisis in CA.

2. Tackling homelessness challenges requires a team. Preferably an inter-departmental / cross-agency one.

3. You need a comprehensive strategy that focuses on more than just law enforcement. It has to balance needs & rights of homeless persons and your larger community.

4. When building shelters, harness the power of those Public-Private Partnerships (P3s)!

5. Have a way to track metrics so you can prove how successful efforts have been (especially for local media).

6. Consider the costs of not housing your homeless.
Santa Ana-specific Resources

- Addressing Homelessness webpage
- Detailed info about The Link
- Homelessness “Data Dashboard” (Infogram)
- City of Santa Ana’s Homelessness Plan
- City Council Resolution Declaring Homeless Shelter Crisis
Audience Q&A
Thank You!

Full presentation is available on
www.cacities.org

For more info about CCMF:
www.cacitymanagers.org

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