

LBNC HEALTH & PUBLIC SAFETY COMMITTEE DECEMBER 19TH MEETING NOTES

AGENDA

- **OPEN, WELCOME GUEST INTROS**
- **PUBLIC COMMENTS**
 - **JAN 13TH C-PAB MEETING AT WVLAPD – GUEST COUNCILMAN BOB BLUMENFIELD**
 - **JAN 18TH – H & PS MTG OTHER HEALTH EMERGENCIES**
 - **NEW DEPUTY CHIEF ALAN HAMILTON – OPERATION VALLEY BUREAU – GUEST SPEAKER AT WVLAPD FEBR 10TH C-PAB COMM MEETING**
- **TODAY'S TOPIC – HOMELESSNESS IS A PUBLIC SAFETY ISSUE**
- **PROPOSAL BEFORE LA CITY COUNCIL – WILL CITY COUNCIL LEGISLATION PUNISH HOMELESSNESS OR REDUCE IT**
- **YOU DECIDE**

BY WAY OF BACKGROUND:

A LAWSUIT HAS BEEN FILED AGAINST LA CITY AND COUNTY (*LA ALLIANCE V CITY/COUNTY OF LA*) THAT ALLEGES THAT THE CITY HAS NOT RESPONDED QUICKLLY ENOUGH TO SHELTER HOMELESS INDIVIDUALS WHICH HAS LED TO UNHEALTHY CONDITIONS ON CITY STREETS AND THE OBSTRUCTION OF FREE PASSAGE ON SIDEWALKS. LA UNDERSTANDS THE URGENCY TO IMPLEMENT TODAY INSTEAD OF TOMORROW.

IN 2003 THE ACLU AND NATIONAL LAWYERS GUILD FILED A CASE ON BEHALF OF A HOMELESS MAN NAMED EDWARD JONES. THE CASE CAME BEFORE THE 9TH CIRCUIT IN 2006 WHICH UPHELD A RULING THAT LAMC (Los Angeles Municipal Code) 41.18 WAS A VIOLATION OF THE 8TH AMENDMENT, WHICH PROHIBITS CRUEL AND UNUSUAL PUNISHMENT. AS A RESULTS, LA AGREED NOT TO ENFORCE 41.18 UNTIL THEY HAD PROVIDED 1250 UNITS OF PERMANENT PUBLIC HOUSING. IN 2019 THE 9TH CIRCUIT COURT IN *MARTIN v CITY OF BOISE* HELD THAT NO JURISDICTION MAY CRIMINALIZE THE ACT OF SLEEPING IN PUBLIC SPACES UNLESS IT HAS SUFICIENT BEDS FOR ITS HOMELESS OR OFFERS SHELTERS TO A SPECIFIC INDIVIDUAL BEFORE COMMENCINE ENFORCEMENT AGAINST THAT PERSON. THE BOISE DECISION, HOWEVER ACKNOLEDGED THAT

A CITY MAY CONTINUE TO PROHIBIT SITTING, LYING, OR SLEEPING IN PUBLIC SPACES AT PARTICULAR TIMES ON IN PARTICULAR LOCATIONS EVEN BEFORE A CITY IS ABLE TO SHELTER ALL OF ITS RESIDENTS.

ON OCTOBER 21, LA CITY COUNCIL MEMBERS BLUMENFIELD, BUSCAINO, RODRIGUEZ, KREKORIAN, PRICE CEDILLO AND LEE PRESENTED A MOTION CF 20-1376 THAT MANY BELIEVE WOULD DRASTICALLY EXPAND THE CRIMINALIZATION AND BANISHMENT OF UNHOUSED ACROSS THE CITY. IF PASSED IT WOULD AMEND LAMC 41.18 AND 56.11 TO ALLOW THE CITY TO BAN SITTING, SLEEPING OR LYING DOWN WITHIN 500' OF FREEWAYS, RAMPS AND TUNNELS

SITTING, SLEEPING OR LYING DOWN WITHIN 500' OF ANY FACILITY OPENED AFTER JANUARY 2018 THAT PROVIDES HOUSING, SHELTER, SERVICES, SAFE PARKING OR STORAGE TO UNHOUSED PERSONS.

IT WOULD BAN SITTING, SLEEPING OR LYING DOWN IN ANY PUBLIC SPACE IN THE CITY IF AN OFFER OF SHELTER IS PROVIDED BEFORE ENFORCEMENT OCCURS

THE MOTION DOES NOT PROVIDE ANY NEW HOUSING RESOURCES, WRAPAROUND SERVICES OR AN SOLUTIONS TO DECREASE THE UNHOUSED POPULATION

REASON: TO CREATE VISIBLE PROGRESS – BLUMENFIELD STATED.

ON OCT 21ST , A MOTION WAS REFERRED TO THE HOMELESSNESS AND POVERTY COMMITTEE THAT PROPOSED AMENDING THE MC TO SPECIFY TIMES AND LOCATIONS WHERE IT WOULD BE ILLEGAL TO SIT, LIE AND SLEEP ON PUBLIC PROPERTY

A TWITTER STORM AND BACKLASH ENSUED WHICH NIXED THE CITY COUNCIL'S EFFORT TO PASS THE PROPOSAL. COUNCIL PRESIDENT MARTINEZ PPD A VOTE ON THE MOTION UNTIL NOVEMBER 24TH.

NO VOTE WAS TAKEN ON NOVEMBER 24TH. COUNCIL PRESIDENT MARTINEZ DECLARED THAT THIS ISSUE WAS TOO IMPORTANT. THE PUBLIC MUST WEIGH IN.

THE LAKE BALBOA NC HAS THE OPPORTUNITY TO WEIGH IN WITH AN OFFICIAL COMMUNITY IMPACT STATEMENT AND JOIN THE MORE THAN A DOZEN OTHER NC'S TO EXPRESS HOW THE HOMELESS ISSUE AND THE PASSAGE OF THE AMENDMENT TO 41.18 WOULD IMPACT OUR COMMUNITY.

WE NEED TO TAKE THIS OPPORTUNITY TO OPEN UP THE DISCUSSION TO BOARD MEMBERS AND RESIDENTS ALIKE TO EXPRESS THEIR VIEWS.

OUR GOAL, TO PRESENT OUR A CIS COMMITTEE RECOMMENDATION TO LBNC AT OUR FEBRUARY 2021 BOARD MEETING.