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August 19, 2015

Honorable Chairmen and Members
Committee on Homelessness and Poverty
Los Angeles City Council
200 N. Spring Street
Los Angeles, California 90012

Re: Council Files 14-1656 and 14-1551

Dear Chairmen Huizar and Harris-Dawson and Members:

In your further consideration of ordinances and amendments pertaining to homeless persons compelled by circumstance to live on the streets and in the parks of this City, I hope you will consult with others with far more – and far more successful – experience in such matters. I attach, for example, the very recent publication of the United States Interagency Council on Homelessness, *Ending Homelessness for People Living in Encampments.*

Very Truly Yours,

Gary Blasi
Professor of Law Emeritus

Ending Homelessness for People Living in Encampments

Advancing the Dialogue

August 2015

Background and Intent

To end homelessness for everyone, we must link people experiencing unsheltered homelessness, including people sleeping and living in encampments[1], with permanent housing opportunities matched with the right level of services to ensure that those housing opportunities are stable and successful. It is only through the provision of such opportunities that we can provide lasting solutions for individuals and communities. Across the country, many communities are wrestling with how to create effective solutions and provide such housing opportunities for people experiencing unsheltered homelessness. The presence of encampments often creates heightened awareness and concerns in communities and requires different approaches than working with individual people who are unsheltered.

It is important to acknowledge that there are many reasons that some people who are unsheltered may sleep and live in encampment settings, including that such settings offer some people a greater sense of community and safety. It is also important to acknowledge that there are many reasons that other community members may have concerns regarding the presence of encampments within their communities, including concerns related to health, sanitation, and safety. Fundamentally, the solution is not prioritizing one perspective over another; the focus on the goal of ending homelessness requires that communities implement strategies that will link all people experiencing homelessness to permanent housing opportunities.

The perspectives that USICH has brought to the preparation of this document include:

- The presence of encampments in our communities is an indicator of the critical need to create more effective and efficient local systems for responding to the crisis of homelessness.

- The formation of encampments does not represent an end to homelessness, and strategies that focus on making encampments an official part of the system for responding to homelessness can serve to distract communities from focusing on what is most important—connecting people experiencing homelessness to safe, stable, permanent housing.

- Authorizing encampments as an official part of the system for responding to homelessness creates costs to ensure the safety, security, and well-being of the people living within the encampments, which can prevent funding from being directed to supporting and creating permanent housing and service options for all who are unsheltered.

- People sleeping and living in encampments are diverse and the housing and services interventions provided must address a range of needs, challenges, and goals. Some people may be experiencing chronic homelessness and need access to permanent supportive housing, intensive services, and healthcare supports; other people may need rapid re-housing interventions with less intense services; and others may need to be linked to mainstream affordable housing opportunities.

- The forced dispersal of people from encampment settings is not an appropriate solution or strategy, accomplishes nothing toward the goal of linking people to permanent housing opportunities, and can make it more difficult to provide such lasting solutions to people who have been sleeping and living in the encampment.

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[1] USICH recognizes that different terms are used for such settings—such as "tent cities"—but has chosen to use "encampments" in this document, while encouraging communities to use whatever language works best locally.

- Providing lasting solutions and ending the homelessness of people living in encampments requires a thoughtful, coordinated, and collaborative plan and process to ensure that people can be linked to appropriate housing options and that the presence of encampments in the community can be resolved.

USICH has addressed related issues in our 2012 publication, _Searching out Solutions: Constructive Alternatives to the Criminalization of Homelessness_, and in the materials on our website. More recently, our work with community partners has indicated that more specific and concrete guidance is needed to help organizations implement proactive, solutions-focused approaches to end homelessness for people sleeping and living in encampments and to address community concerns. This document is intended to offer such guidance and provides a framework for the development of local strategies so that communities can create and provide lasting housing solutions for people living in encampments.

The information and ideas contained within this document have been developed by USICH based upon conversations and problem-solving discussions with advocates, housing and services providers, and government officials across the country regarding what they have learned, and are still learning, about the most effective approaches and strategies. USICH believes that there is still more to be learned and explored, and this document is not intended as a final statement on the best practices for addressing the housing and services needs of people living in encampments. Rather, the intended purpose of this document is to advance community-level discussions that will strengthen practices and strategies. We welcome dialogue and input on the perspectives and information presented here.

Effective Strategies and Approaches

Communities seeking to provide lasting solutions to end homelessness for people living in encampments should first develop a local action plan that engages both residents of the encampment and an array of community partners.

The action plan should include four key elements, summarized here and described in more detail below. A planning checklist can be found on pages 11 and 12 of this document.

1. **Preparation and Adequate Time for Planning and Implementation**: Action plans for creating and providing housing solutions for people living in encampments should ensure that there is adequate time for strategizing, collaboration, outreach, engagement, and the identification of meaningful housing options. Adequate time is essential to achieve the primary objective of meeting the needs of each person and assisting them to end their homelessness.

2. **Collaboration across Sectors and Systems:** Action plans should include collaboration between a cross-section of public and private agencies, neighbors, business owners, and governmental entities, based upon on where the encampment is located. The action plan should feature strong communication among a broad range of community service providers and managers of the permanent housing resources that are being utilized in order to maximize efficiency, align resources, and address system gaps.

3. **Performance of Intensive and Persistent Outreach and Engagement:** Action plans should involve agencies that have strong outreach experience and demonstrated skills in engaging vulnerable and unsheltered people. Effective outreach is essential for effectively connecting people with coordinated assessment systems, resources, and housing options.

4. **Provision of Low-Barrier Pathways to Permanent Housing**: Action plans should focus on providing people with clear, low-barrier pathways for accessing and attaining permanent housing opportunities and should not focus on relocating people to other encampment settings.

1. Preparation and Adequate Time for Planning and Implementation

Providing adequate time to organize stakeholders and develop an action plan will increase the likelihood of success. There are times when swift action may be required; even in such circumstances, partners should develop a shared action plan that offers guidance on how to connect individuals and families with permanent, stable housing. Stakeholders should have a clear understanding of the strategies, interagency agreements, protocols, the roles they play, how interventions will be timed, and how people living in the encampment will be alerted to the plan.

Important elements to consider when developing an action plan include:

Shared Agreements and Decisions

- **Determine Timing:** Having adequate time to implement a comprehensive and effective strategy is preferable, but in some instances, property owners, safety officials, or others may require or enforce a strict timeline. It is always important to articulate the timeline, so that residents can determine their options and so that partners know the timeline for connecting people to housing options. Even when there is flexibility for determining the timeline, it is still important to act with a sense of urgency and establish an aggressive timetable, as encampment communities often experience crises that can include violence, criminal victimization, and health and safety risks. An emphasis should be placed on balancing the time it will take to develop the plan, recruit necessary partners, implement effective outreach, respond to the concerns of property owners, attend to safety needs, respond to public attention, address other urgent issues that may arise, and connect people to services and housing.

  Throughout the process, there should be sufficient feedback mechanisms among stakeholders to evaluate progress and, if needed, reevaluate the timeline to ensure that solutions are people-focused and that activities do not cause additional harm or trauma for people experiencing homelessness. Efforts that rush events or prematurely disperse people without connecting them to housing could cause relocation to a different encampment setting. There is also a risk that premature dispersal might threaten the partners' ability to build trusting relationships with residents, which is vital to successful housing outcomes. Whenever possible, activities should be tracked through the Homeless Management Information System (HMIS) to allow for efficient reporting and evaluation.

- **Create Shared Purpose and Intent:** While many of the partners will have encountered or worked with people experiencing homelessness, they will likely have differing approaches and assumptions. Action plans should communicate a shared purpose for all stakeholders involved, including encampment residents, should emphasize safety for all parties involved, and should focus on access to appropriate permanent housing.

- **Develop Shared Outcomes:** Action plans should identify expected outcomes for each stage of the intervention and build consensus regarding how successful outcomes are being defined. A focus on shared goals enhances collaborative efforts and the development of coordinated

strategies, as well as focusing partners on identifying the resources and activities necessary to achieve outcomes.

- **Develop Shared Protocols/MOU:** In order to minimize confusion and miscommunication, it is important that action plans clearly delineate the *who, what, when, where,* and *why* for each identified strategy and incorporate those details into protocols agreed to among stakeholders. A list of shared protocols may then be used to inform a Memorandum of Understanding (MOU), which is useful for formalizing the ongoing, collaborative response to encampments in the future.

- **Create a Communications Plan:** Action plans should incorporate a communications strategy that informs stakeholders how to interact with the media and respond to questions from community members. One entity should take the lead role as primary media contact so that communication is consistent and prompt.

Assess Needs and Available Resources:

- **Identify Land Owner(s):** One of the first steps to implementing the plan is to identify who owns the land where the people are living. Planning should consider the needs of the land owner and determine what role the land owner may need to play in the action plan. It is critical to include the land owner as soon as possible to ensure costly, harmful, and uncoordinated preemptive measures are avoided.

- **Assess Needs of People Living in the Encampment:** As soon as an encampment is identified, it is important to assess the unique needs of every individual living there and determine how much time and what resources are needed to connect individuals and families with appropriate housing and supportive services. Particular attention should be given to individuals who are highly vulnerable, people experiencing chronic homelessness, people with mental health issues, and people struggling with substance use. Additionally, specialized attention is needed for individuals who may be ineligible for some housing options, including undocumented immigrants, those with histories of involvement with the criminal justice system, and people who are subject to registration requirements as sex offenders.

- **Identify Adequate Staffing and Resources:** Based upon the projected needs, it is important to determine how existing housing and services resources can be aligned and targeted to connect people to permanent housing. This analysis of resources should also identify how gaps in resources may be filled and what staffing will be necessary to implement the plan. It is important to identify flexible funding that outreach teams can use to offer quick interim housing solutions for people who have already identified a more permanent housing option but need extra time to access that housing. For example, some people may need time to get approved for housing, need assistance gathering documentation, or need help with transportation or move-in costs.

Next Steps

- **Plan for Preventing Encampment from Being Recreated:** Action plans should include strategies for cleanup measures as well as how the space will be returned to its intended use. Additional security and outreach measures may be necessary to prevent future encampments from being formed at the same location.

- **Plan for Follow-up Contacts and Tracking Outcomes:** Action plans should include strategies for following up with people who have been assisted in order to track their outcomes and measure progress.

- **Standardize Future Responses:** It is important for communities to develop standardized approaches and align policies across programs and agencies, allowing for efficient and effective responses. A standardized response should include law enforcement policies and procedures, communication and coordination among outreach teams and service agencies, and agreements with housing providers to accept referrals from outreach workers and case managers. Since encampments are often transitory or cross jurisdictional boundaries, it is also helpful for neighboring cities to align local plans so that strategies are unified.

- **Integrate with the Community's Strategic Efforts to End Homelessness:** Finally, it is important to integrate these actions with the community's strategic efforts to end homelessness. Partners should debrief and identify lessons that can be learned from the implementation of the action plan in order to both inform future responses and improve the homelessness crisis response system as a whole.

2. Collaboration across Sectors and Systems

The most effective action plans involve early engagement with multiple public and private stakeholders including, but not limited to, local officials, city and county staff, Continuum of Care agencies, service providers, housing organizations, law enforcement, business leaders, strategic planning bodies, and people who have experienced homelessness. Collaborative efforts can better align available resources and more quickly connect people with housing, health care, and services.

When developing or expanding a collaborative partnership, consider engaging a broad array of stakeholders, including:

- **People Living in Encampments:** People living in encampments have a strong interest in planned efforts and outcomes, may regard the site as their home and community, and understandably expect that others will respect their privacy and personal property. Planning should assume that people are entitled to participate in decisions that will affect their lives and should seek ways to incorporate their input. Leaders in an encampment community are valuable partners and can offer information about the culture of the community and can help outreach workers and other providers connect with people and better understand their needs and goals.

- **Continuum of Care Agencies:** Agencies working with the local Continuum of Care (CoC) can provide leadership and guidance based on their expertise in implementing programs and coordinating system-level responses for people experiencing homelessness. The CoC should identify key agencies to participate within the action plan and should determine how coordination among those agencies will be managed. The U.S. Department of Housing and Urban Development (HUD) has an online resource where community leaders can find contact information for the CoC.

- **Other Social Service and Health Care Agencies:** Agencies that are not primarily focused on homelessness, but that serve people who are experiencing homelessness, such as behavioral and physical health care providers, affordable housing providers, or legal aid programs are also important partners and can offer access to data, resources, and expertise.

- **Community Outreach and Engagement Teams**: Outreach teams, case managers, and peer specialists often have relationships with people in encampments, can provide insight into the challenges and realities people are facing, and bring knowledge and experience with effective outreach and engagement strategies.

- **Law Enforcement Agencies**: Law enforcement agencies offer expertise on public safety and the protection of vulnerable individuals. Law enforcement agencies can also clarify policies that impact encampment settings and the charges that people can accrue if they are in violation of a municipal ordinance. In some communities, law enforcement personnel participate as core members of outreach teams, including helping to ensure the safety of outreach personnel. In other instances, law enforcement officials call upon outreach teams for assistance when they encounter people who are experiencing homelessness and are at-risk of arrest. Close coordination and communication between the outreach teams and law enforcement agencies is essential for assuring the safety of staff and of people experiencing homelessness.

- **Local Government Agencies and Officials:**

  - Elected Officials: Elected officials are important leaders in ending homelessness and have an interest in being responsive to citizen concerns about their neighborhoods. Elected officials can take a leadership role in convening stakeholders and can help direct attention and funding toward strategies that will connect people to housing.

  - Planning, Parks and Recreations, and Public Works: Encampments are often located under bridges, next to roads and highways, or on other public lands that a public entity is obligated to monitor and maintain. Staff from such agencies should have information about ownership of the land and security measures currently in place, may have useful information about the site and the people living there, and can offer expertise in sanitation and security once people have been assisted and the site is vacant.

  - Human or Social Services Departments: City and county human services offices likely manage resources and programs that can address homelessness, may have housing and service contracts with a variety of providers in the community, and can recommend nonprofit organizations to help with interventions. These departments may also be able to identify funding and resources to expand outreach efforts or to support the provision of services and housing options.

  - Public Health and Behavioral Health Care Departments: Public health and behavioral health care departments can both play key roles in outreach via public health nurses, doctors, and skilled clinicians. They can also provide education regarding sanitation, health and safety concerns, and available services. Such departments have critical roles to play in the provision of services to people as they access housing and other services, and after they are in permanent housing.

- **Business Leaders**: Businesses may be impacted by encampments, which can motivate them to support effective solutions. Business leaders can leverage their professional affiliations and relationships with the local Chamber of Commerce and other business associations to generate public support and provide resources for programs that are creating lasting solutions.

- **Philanthropic Organizations:** The involvement of private funds in planning efforts may help identify organizations with strong track records of ending homelessness. Some funders may also be interested in supporting expanded, outcomes-focused efforts to create solutions for the issue of people living in encampments within the community.

- **Faith-based Organizations:** Many faith-based organizations are interested in improving the lives of people experiencing homelessness and provide volunteer and financial support to assist the community response. While volunteer efforts, financial contributions, and in kind donations may currently focus on meeting individuals' daily subsistence needs, such organizations may also be seeking opportunities to partner with other organizations to support permanent solutions to homelessness.

- **Advocates:** Advocates can ensure that the voices of people in encampments are being heard, can use their positions to affirm the human need for housing, and can make the case for increased investments in affordable, safe, high-quality housing and services. Advocates can also help research and articulate the impact of counterproductive ordinances that criminalize homelessness.

3. Intensive and Persistent Outreach and Engagement

Outreach and engagement efforts are critical components of any successful plan that addresses the needs of people living in encampments and should be implemented throughout the process. The deployment of cross-disciplinary outreach teams is an important strategy for aiding people to move into permanent housing. Cross-disciplinary teams might include outreach workers, law enforcement, U.S. Department of Veterans Affairs staff, public health, city and county staff that can connect people to benefits, peer specialists, and other trained service providers and volunteers. To ensure success, outreach and engagement teams must have the ability to refer individuals directly to permanent housing opportunities and interim options that can be immediately available.

Key outreach and engagement strategies include:

- **Identify all Members of the Encampment by Name and Implement Ongoing Outreach:** It is important that outreach teams identify every single person living at the site, including collecting necessary demographic data and other relevant information. Information about how many people are living at the site allows the coordinating team to begin to identify the scale of resources that will be needed. By learning about people's histories through an iterative engagement process, outreach workers and case managers can better work with individuals and families to tailor interventions that will lead to the appropriate permanent housing solutions and the right services and supports.

- **Maintain a Consistent Presence in the Encampment:** Outreach workers should maintain a consistent presence at the site so that relationships of trust can be formed, allowing for clear and precise information about the plans and options available for people. This is especially important for engaging people who may not be responding to outreach or who have not accepted the options being offered by providers. Consistent and ongoing outreach and engagement efforts offer individuals multiple opportunities to connect with outreach workers on their own terms.

- **Maintain Honest and Transparent Communication**: Outreach workers and other members of the collaborative action plan should make sure that their communication with people is honest and forthcoming. It is important to be transparent about the process and timelines while at the same time making sure not to over-promise resources, options, or expected outcomes.

- **Identify Leadership from within the Encampment**: Many encampment communities have developed some type of a leadership structure. It is important to include these leaders in the process in order to better understand the needs and goals of people and to foster open and trustworthy relationships between people staying at the site and the agencies and organizations implementing the action plan.

- **Cross-train and Share Information**: Cross-training and sharing information among outreach teams increases the likelihood of success by enabling partners to develop shared responses to both crisis and non-crisis situations. It also provides insight into practices and policies of outreach teams, facilitates coordination of activities, and enhances sensitivity in working with people experiencing homelessness.

- **Link with Housing Search Services:** Outreach workers should partner with housing navigators, housing search specialists, and/or landlord liaisons to help people access appropriate housing opportunities.

4. Provide Low-Barrier Pathways to Permanent Housing

People experiencing unsheltered homelessness, including those who live in encampments, are not uniform in their housing and services needs. Some individuals may be experiencing chronic or long-term homelessness, while others may be encountering their first and only brief experience without housing.

Considerations for providing the range of housing solutions needed include:

- **Apply Housing First Strategies and Practices:** Implementing the proven practice of Housing First will remove unnecessary obstacles, requirements, and expectations so that people can access housing as quickly as possible. Removing as many barriers as possible will help prevent people from being "screened out" of the housing options that are available.

- **Align Activities with the Existing Homelessness Crisis Response and Coordinated Entry System:** Efforts to assist people living in encampments should not stand alone from the community's broader efforts to respond to the crisis of homelessness and effectively reach and serve other people who are unsheltered in the community. It is also important to ensure that living in an encampment does not become the only way to access necessary housing and services. Coordinated assessment, intake, and placement strategies help assure that people are prioritized for and linked to the housing and services interventions that are most appropriate to their needs and will most efficiently end their homelessness.

- **Offer Interim Housing Opportunities and a Clear Path to Permanent Housing:** Permanent housing opportunities cannot always be immediately accessed, so it is important to be able to provide an immediate, interim housing opportunity (which could include shelter, bridge housing, or other temporary arrangements) without barriers to entry while permanent housing and appropriate supports are being secured.

Collaborate Across Sectors and Systems

When developing or expanding a collaborative partnership, engage stakeholders, including:

- ☑ **People Living in Encampments.** To help understand the needs and goals of residents.
- ☑ **Continuum of Care Agencies.** To provide expertise in coordinating system-level responses.
- ☑ **Other Social Service and Healthcare Agencies.** To provide access to data, resources and expertise.
- ☑ **Community Outreach and Engagement Teams.** To help develop the best engagement strategies.
- ☑ **Law Enforcement Agencies.** To coordinate outreach and ensure the safety of all.
- ☑ **Local Government Agencies and Officials.** To help coordinate government resources and action, specifically:
  - ☑ Elected Officials
  - ☑ Planning, Parks and Recreation, and Public Works
  - ☑ Human or Social Services Departments
  - ☑ Public Health and Behavioral Health Care Departments
- ☑ **Business Leaders.** To leverage professional relationships to generate support and resources.
- ☑ **Philanthropic Organizations.** To involve private funders that have interest in ending homelessness.
- ☑ **Faith-based Organizations.** To provide volunteer and financial support.
- ☑ **Advocates.** To ensure that the voices of people in encampments are heard and raise other concerns.

Perform Intensive and Persistent Outreach and Engagement

Implement outreach and engagement efforts throughout the process, including:

- ☑ **Identifying All Members of the Encampment By Name and Implement Ongoing Outreach.** Having a full understanding of the population is important to scale resources and tailor interventions.
- ☑ **Maintaining a Consistent Presence in the Encampment.** Devote adequate time and resources to ensure trusting relationships are being developed with residents.
- ☑ **Maintaining Honest and Transparent Communication.** Transparency about the process and timelines ensures trusting relationships are formed.
- ☑ **Identifying Leadership from within the Encampment.** Include such leaders in the process in order to better understand the needs and goals of people and to strengthen relationships.
- ☑ **Cross-Training and Sharing Information.** Sharing information among outreach teams increases success by enabling partners to develop shared responses to both crisis and non-crisis situations.
- ☑ **Linking with Housing Search Services.** Outreach workers should partner with housing navigators, housing search specialists, and landlord liaisons to help people access housing.

Provide Low-Barrier Pathways to Permanent Housing

To provide a range of housing solutions, consider:

- ☑ **Applying Housing First Strategies and Practices.** Remove obstacles, requirements, and expectations so that people can access housing as quickly as possible.
- ☑ **Aligning Activities with the Existing Homeless Crisis Response and Coordinated Entry System.** Coordinated entry assures people are prioritized for and provided housing and services that meet their needs.
- ☑ **Offering Interim Housing Opportunities and a Clear Path to Permanent Housing.** It is important to provide immediate, interim housing without barriers to entry while permanent housing is being secured.
- ☑ **Identifying an Adequate Supply of Housing Options.** People will need access to a variety of housing options, including permanent supportive housing, rapid re-housing, and mainstream affordable housing.
- ☑ **Engaging State and Federal Partners.** Identify opportunities to align Federal, state, and local funding and programs to provide pathways to permanent housing.