

Communication from Public

Name: Michael Piscitelli
Date Submitted: 09/24/2019 10:46 AM
Council File No: 19-0602-S1
Comments for Public Posting: I SUPPORT this. Safety for citizens needs to be equal to the compassion we give homeless. Focus on building shelters and supporting things such as SafeParkLA, while continuing to build affordable housing. In the meantime, it's changes like this which will aid the voting taxpayers in not feeling like we've been abandoned to a few failing entities like LAHSA. It's sad my neighborhood council didn't listen to our community during the forums.

Communication from Public

Name: Chrysanthe Oltmann
Date Submitted: 09/24/2019 10:39 AM
Council File No: 19-0602-S1
Comments for Public Posting: Burrito Project LA stands with SELAH and other community groups against these proposed changes to LAMC 41.18. Making it a crime to rest in public space while the City of LA has 27,000 unsheltered people and only 9,000 shelter beds is cruel and unusual punishment. Voting for this means aligning with President Trump and furthering his hateful rhetoric against low income communities. Vote yes and we'll remember you stood with Trump - make the moral choice and say no to this inhumane law.

Communication from Public

Name: Jonathan Pacheco Bell
Date Submitted: 09/24/2019 09:55 AM
Council File No: 19-0602-S1
Comments for Public Posting: STOP CRIMINALIZING UNHOUSED PEOPLE. The city must focus all resources and efforts on providing permanent housing and public health services, and must immediately stop harmful criminalization efforts which have proven to worsen this crisis.

Communication from Public

Name: David E. Busch
Date Submitted: 09/24/2019 08:37 AM
Council File No: 19-0602-S1
Comments for Public Posting: Please submit the attached file as public comment on item 19-0602-S1

Dear Mayor Garcetti; City Homelessness and Poverty Committee; Los Angeles City Council; and others concerned about our unprecedeted homelessness and affordable housing crisis -- and the official negligence, malfeasance, and invidious abuse of public process by City of Los Angeles to perpetuate it -- and also abet the now-horrific homeless-hate campaign raging unchecked in this city:

I am a 20-year homeless Southern Californian, currently residing in Venice; a leading homeless rights advocate; and most-recently completed a 24/7, 21-day, water-only hunger fast in Los Angeles that was instrumental in bringing some of the first-ever safe attended public toilets to Los Angeles --in the now city-funded "Pit Stop" program: a Kennedy School of Government award-winning civic public health intitiative.

For which --in the spirit of actual public service --I also have collected not one dime.

Furthermore, I am now also a part of a citizen committee --currently proposing voluntary, non-coercive city-wide homeless "safe zones" for Los Angeles -- to meet the emergency need of our 27,000 unsheltered --at long-last-- in the midst of this crisis.

Below is my frank public statement regarding the disgusting effort here in Los Angeles to seek now, hower, instead of "safe zones " to even seek to actually now even discuss publically:

With no apparent shame on the part of you officials;

one of the most-hateful proposed ordinances to ever be unveiled, in America, against homeless people.

Officials --rather than even considering another attempt to tell 27,000 people in a public health and safety crisis where they CAN'T sleep:

After 30 years -- isn't it finally time that L.A.'s diddling politicians -- every single one of you:

FIRST told us where in this City we NOW can sleep and sit?

Without that --first:

ordinances such as this simply fully expose you all now --as not "progressives;"

But in this moment --now as likely-dangerous ---Trump-demagogue, collaborators. And who regardless of Party -- are now merely scheming with him --to violate fundamental human norms and human rights with this unnecessary ordinance --whose only worthwhile provisions are already laid out under the Jones v Los Angeles settlement and injunction;

And already-existing ordinances elsewhere.

-db

SEE BELOW:

RE: Revisions To Ordinance L.A.M.C 41.18 To Criminalizing Sitting and Sleeping

Dear Homelessness An Poverty Committee Mayor Garcetti and Los Angeles City Council;

As we are all excruciatingly aware, in Los Angeles --we are now faced with more than 27,000 unsheltered human beings here each night:

I am one of them.

This County is now unsheltered home:

To over 44,000 of us.

Meanwhile, here in Los Angeles, we already have had slapped on this city one Federal Court injunction --to strike down -- under the settlement in Jones v Los Angeles, for over 10 years, as unconstitutional --due to this City's already unlawful neglect, and cruel and unusual punishments -- a now, apparently, here revisited City Ordinance:

That there are now some here in this city;

And at FOXnews;

And occupying, with Communist Russian KGB, support;

Our White House --in Washington DC;

Who want re-enacted:

L.A.M.C. 41.18.

For this grotesquely-proposed ordinance is nothing but a Dictator's police-state dream.

"Stand Your Ground" targeting vulnerable homeless men, women and youth for vigilante violence;

Declaring in "Sundown law" fashion; or more accurately, fascist-like -- that merely because of their status as unhousex-- that they are 'verboten" to be resting in public in broad daylight:

near children.

This is bigotry against a class of people merely due to their status.

And until sellout fake "Democrats" here decided to team up with the worst President in American history here -- would have rightly been unthinkable.

And this is while --for over ten years -- we unsheltered here literally still have had nothing from you but band-aids --in our increasing numbers --and in this time of unprecedeted public emergency;

Other than the current, overwhelmingly "public places" which we are forced by your cruelty.

In which to live;

And to sleep.

But where are 27,000 us supposed to be?

This ordinance does nothing to answer that existential question.

Nothing.

For 27,000 of us tonight.

And so now --rather than do the inexpensive, simple and right thing --there is now still --an effort ongoing to sit here wasting time and the lives of homeless people --who literally are dying; by your attempts to waste. this time;

and these lives;

and to bring back:

This same court-invalidated 41 18 ordinance?

And to pass another, ridiculous, police-resource, and court-wasting and clearly-discriminatory version:

of this same, already once court-invalidated ordinance?

But with --now more --mere, prevaricating, --in the face of our existential need to be told where in this City we can sleep --window-dressing?

And which, ordinance, in its place -- upon examination --actually, just makes this ordinance even WORSE to any reasonable Court, such as the Ninth Circuit than the one they originally enjoined?

Re-writing this ordinance --to make it more directly discriminatory, criminalizing, and in violation of homeless people's rights of equal protection in this city --an ordinance that is enjoined --not for its language or provisions, themselves, in the first place -- but for these unaddressed existential conditions here that we homeless people endure:

-- and that this City refuses to address; and which, therefore, made it invalid in the Court's eyes:

In the first place!

And which will obviously -- not please any court we want to hear this proposal.

Yet --some of you apparently do want to go into court -- with this even worse ordinance?

And not without showing you've first done anything --to adequately address any of homeless people's conditions; that invalidated the less-offensive, and less-discriminatory --ordinance here in the first place?

But, again --want to seek do so while homeless people's conditions here now are even larger in number and far worse? And worse than merely the unsightly extra cleanup in parks -- that your lack of respect for their fundamental human necessities are now brought about by you:

In the first place?

And so you now also --want to criminalize them for being a human; in this situation of current necessity and near a school? For being a human, and in the situation of human necessity

-- near a toilet in a park?

And when it was your criminal neglect, in the first place, that is responsible -- for their very necessity to be using that very park toilet?

You actually think you are going to get away with continuing to ignore the blatant criminal neglect done here in Los Angeles, by yourselves --and for which you have already been sanctioned by the court --and now try criminalize all us humans:

Who are suffering --in urgent public necessity --brought on by your own criminal neglect of our fundamental human need in the first place:

--for now merely sitting down?

And when, in a yard right next door -- to that same school or daycare -- is a housed person in a chair? Or is also sleeping in a bed?

And when the only difference --is that one is enjoying their right of equal protection to the human necessity to sleep when needed --while housed; and the other is being denied their right to equal protection to reasonably sleep by necessity, or even sit; because of the emergency and necessity in a situation that you are the one that is responsible -- by your neglect and prior abuse of law:

for bringing down on them;

In the first place?

You think you are going to now --on top of your criminal neglect of them in the first place --now also criminalize them merely for this action that they reasonably take, under law -- and as a protected necessity?

In an emergency --brought by your inaction and neglect to tell us where we can sleep and sit:

That you've created?

Rather than just stop your delays --and just address their urgent need:

And as a city policy;

That was already ordered you --by the Court --first?

Or then, when?

Ever?

Well then. just when?

Further --Committee Members, Mayor, and City Council --despite a city full of divisive local television and radio stations constantly seeking to drive-up anti-homeless sentiments against us --and terrorize even you from any common sense now --as if we, not this cruel and

anti-homeless city and its hate-filled media; were to blame for our lack now of enough assigned safe toilet facilities -- for our ad-hoc necessary encampments;

Or any secure,regulated storage;

and our necessity, therefore --to also sit and attend to them on sidewalks;

--Or even our mere human necessity --for a cooperative city trash-pickup program....

Yet --so here we are --rather than addressing these needs, we are addressing, largely because of your decades of inaction and now this hate-campaign seizing this city;

Merely playing with another ordinance --that merely seeks --to criminalize urgent human necessity.

An Ordinance -- who's very scope and intent is hateful and wrong. It tells this community:

If you see a homeless human in urgent need;

in front of your business or school;
or in your park:

Then ignore their need.

They are obviously suspicious, just by their presence;
They are obviously the criminals, just by their presence

They wouldn't be a mere human in need.

...Just call the police.

Because now -- to be a human --ever in need nearly everywhere in Los Angeles:

Here --under this cruel and unusual proposed ordinance --Is a crime.

It sets a public perception and policy that a city and society --faced with a human in need --can simply further slur them with suspicion; and get away with merely criminalizing them.

Fortunately, the Courts have already said to you, Los Angeles --that such laws are invalid.

But offering up such laws -- that further seek to criminalize need --especially in the face of clear prior city negligence; also leads the just Courts to assess severe punitive damages --for such continued and cruel actions. And in severe cases, even leads to criminal charges against City officials in just Courts -- for intentional, malicious, negligence.

So who, in their right mind --thinks this ordinance --at this time; with thousands of homeless people here with no place to go; and in a constant state of necessity; brought on by this city --will pass even one just Court's test?

Or, in this City --and under these conditions of the prolonged city's prevarication --in any way:

Should?

Who, in their moral and sense of Civic responsibility --to its citizens' most urgent fear: the fear of what happens to THEM here should they also become homeless --thinks this ordinance is anything but a waste of police, courts, and the value of human life

In this city?

Overwhelmingly, anyone can already clearly see that under these conditions --that have gone on in Los Angeles by neglect for decades now -- that homeless people here are already trying; as best they are able --to find the places to sleep and engage in their living necessities --as reasonably and unobtrusively as possible. We already avoid most sidewalks in front of private residences. For the vast majority, we already avoid setting up our camps directly near open, heavy, customer-serving businesses:

Or - intruding upon schools;

And we seek to do this - moreover, as we should --without torturing, or bowing to discrimination against our own, innocent, person:

And should we do so --in the midst of this city-facilitated neglect -- and abuse;

And in the face of this city's already criminal, and constant chasing of us --out of even resting now near parks;

While simply our enduring.

And in the midst --of this hate-campaign- prompted "fake" willfully city-generated, "emergency."

And this is despite the fact --that this city's anti-homeless hate-filled media -- and NIMBYs -- over-and-over, now, nightly, publically attack us in Los Angeles; and Pavlonian-style --seek deliberately to attach now terror-filled slurs:

To our mere existence here -- as still humans.

Words like:

"shame," "vermin," "filth"

For Our merely being seen;

For setting up --in these cases of necessity --Our encampments at freeway underpasses;

Or --for seeking to remain unseen -- by setting up encampments in brushy areas;

Or near, when we must --businesses --that attack us;

Or for setting up even near industrial areas.

Such as Third Ave. in Venice.

Can any of you here:

Now say the word "transient?"

Without a feeling of disgust?

As You are the ones allowing this city-wide media -- and vily-organized -- hate campaign:

And now -- Within yourselves...

And by your deafening silences.

This is what we should be talking about --in this city's homeless committee. And at at this City Council. This unprecedented hate campaign against us.

But we are not. You are not. You refuse. We are instead, because of you --talking about a proposed ordinance --that is merely the rotting stench of this un-rebutted media and NIMBY now openly hateful and disgusting city-wide, media-fueled anti-homeless, anti-human, anti-compassion:

Putsch;

And while not a single city official here has yet stood up -- as forcefully as they should --to strongly denounce even a word of this virulent media anti-homeless hate. This flood denouncing us daily on TV, radio, and the internet. Sites like "NextDoor" --whose explicit business model specifically excludes homeless people.

And in the very neighborhoods --where we now live --and are attacked, and stalked;

And you worry instead --that we might merely be innocently within the sight of a school?

Is it any person's crime to merely be seen living their life --by a child?

An old person?

A gay person?

A poor person?

An immigrant?

A black person?

A handicapped person?

Are babies born with a fear of homeless people?

Mayor and City Council --I promise you; we homeless will not stand for this:

Without any more discrimination against us:

We Human Beings will Sit;
We Human Beings will Lie Down;
And We Human Beings will Sleep;

No matter how much -- you shower us --everywhere in this city merely with hate. And hateful ordinances. And no matter how many hateful local tv stations - seek to coat us with "shame;" or radio stations equate us as "vermin;" --and with an organized, cooperated-with city --full of silent, cowardly, cooperating politicians such as you;

driving up the cost of housing here to every single resident:

Who's paying through the nose here:

And who are terrified -- they are soon going to have to join us.

Before we have to see --therefore --passed another cruel, dumb and inevitably unconstitutional ordinance: one endangering thousands; by not telling us first where we CAN safely and securely just sleep; and worse --telling homeless people, that unlike anybody else, ONLY they can't now have a human right to equal protection under law to now sleep, or be seen; or even sit; or even remain by necessity -- within 500 ft of a sidewalk near a school, or park:

--or other city facility;

--and wasting millions of dollars on losing lawsuits...

Isn't it time we all simply --INSTEAD --adhered to the Courts' already oft-repeated message???

And simply stopped this tsunami of discrimination and hate -against more and more of our homeless people's fundamental rights --and equal treatment?

And started telling 27,000 of us --fairly and honestly -- and with food, storage, showers, trashcans and safe toilets:

--tonight, in every part of this City;

Now first;

Where we CAN have our equal right:

Of 27,000 of us

to just to sleep?

For if this City made adequate provision -- to attract the 27,000 unhoused -- to reasonably integrated sleeping, camping, and parking areas --in all parts of L.A. --most homeless people WOULD already go to them.

For security --fundamental human rights, conveniences, services --and safety.

But his discriminatory and vague and outrageously human-rights-insulting "city ordinance" is just a way of NOT solving the actual problem.

POINTS:

Shockingly --Cruel And Unusual:

As for the clear failures of this ordinance --how, at 10 pm --is a homeless person reasonably supposed to figure out if there IS a childcare center, a park, or a school; within nearly two football fields --in all directions --of some sidewalk?

Is it illegal for a homeless person to even walk past a school? For them sit down? What you are seeking to criminalize is not merely innocent human behaviour; it is worse --it is behaviour of innocent humans --living their lives in situations of extreme distress. And brought on, overwhelmingly -- by a cruel and negligent behaviour --not of homeless people; but --of the city of Los Angeles itself.

And is therefore the very definition of "Cruel and Unusual Punishment."

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Communication from Public

Name: NShannon
Date Submitted: 09/24/2019 09:07 AM
Council File No: 19-0602-S1
Comments for Public Posting: I am bothered by the fact that encampments are NOT allowed near/around Money Making venues in Los Angeles (Staples Center, Dodger Stadium, etc), but seems perfectly okay for us regular citizens and business owners to deal with. Should transients be allowed to set up near schools or parks? Of course not. Should they be allowed to set up in front of MY house? Of course Not! In what world is this compassion? It is time to implement some harsh realities instead of the enabling and coddling that has turned into over 50,000 people living on the streets. Get tough on drugs. Get the mentally ill OFF the streets and into a well staffed institutions. And By All Means, get them off of our streets where there is now urine, feces, and untold diseases that we are walking on and then bringing them into our stores, schools and homes.

Communication from Public

Name: Louis Abramson
Date Submitted: 09/24/2019 12:45 AM
Council File No: 19-0602-S1
Comments for Public Posting: There are valid arguments that the proposed amendments to LAMC 41.18 substantially criminalize homelessness, amount to a kind of segregation, feed inaccurate stereotypes of people experiencing homelessness, and are fundamentally unenforceable. Whatever one's stance on those issues, however, it benefits any discussion of this law to start from a realistic assessment of its human impact, without which we cannot proceed to optimize or eliminate it to bring our statutes in-line with our values. I attach here my quantitative analysis of the current proposal to provide such an assessment, and so aid this endeavor. Using public data, I find that the 500 ft restrictions around schools, parks, and daycares alone would proscribe nearly 40% of LA's sidewalks, displacing up to 12,400 people given the most recent LAHSA statistics. This corresponds to up to 2,000 people in a single CD, over 1,000 individuals in five CDs, over 590 people in half of CDs, and never less than 160 people in any CD. The amendments would also at least double the average number of unsheltered people per remaining sidewalk mile in CDs 1, 9, and 13 through said displacement to roughly one person every 250 ft. At the finest grained level I can measure, it would place over 11,000 unsheltered Angelenos in regions where at least 50% of sidewalks are off limits, and 3,400 in regions where at least 75% are unavailable for dwelling. Given these impacts, which suggest that substantial outreach efforts will be necessary to ensure an orderly and humane roll-out of 41.18 as proposed, I urge the Committee to revisit the 500 ft restrictions with the aim of reducing or eliminating them. Whatever restrictions are imposed should be explicitly based on public health and safety data, with robust protections in place to insure against post-promulgation disruption of services due to any displacement. The attached document fleshes-out these statements and describes how the above statistics were obtained.

Potential Displacement and Densification of Homeless Communities Due to Amended LAMC 41.18(d)

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**Carnegie Observatories, 813 Santa Barbara St, Pasadena, CA 91101*

September 23, 2019

Abstract

The Los Angeles City Council Committee on Poverty and Homelessness recently approved a proposal to bring LAMC 41.18 into agreement with federal case law. Part of this effort included limiting clause 41.18(d) to restrict people from sitting or sleeping in specific areas as opposed to the city at large. Using public data, I find that these restrictions may displace up to 12,400 people—46% of unsheltered Angelenos experiencing homelessness—relative to today’s baseline where no such regulations are enforced. Furthermore, they may increase the number of unsheltered people per linear street mile by an average of 62%. CDs 1, 13, and 14 are most dramatically affected by the proposed changes, with unsheltered densities rising by almost 150% in CD1 and perhaps 2,000 people at risk of displacement in CD14. At a fine-grained level, nearly 3,400 people live in census tracts where at least 75% of sidewalks will be proscribed. These substantial human implications—and the resultant case work and public health challenges—stem only from the proposed 500 ft restrictions around schools, daycares, and parks. Given the potential impact of this subset of restrictions, the need for and size of the above boundary definitions should be rigorously studied with the aim of minimizing or eliminating them. Robust plans to mitigate foreseeable harmful effects should also be drafted before final action is taken.

1 Context

LAMC 41.18 currently prohibits people from sitting or sleeping on any sidewalk in the City of Los Angeles. In 2006, the Ninth Circuit Court of Appeals made this law unenforceable in *Jones v. Los Angeles*.¹ This year, the same court ruled a similar law unconstitutional in *Martin v. Boise*.² The City must therefore either repeal LAMC 41.18 or amend it to conform to federal precedent. As

¹<https://caselaw.findlaw.com/us-9th-circuit/1490887.html>

²<https://caselaw.findlaw.com/us-9th-circuit/1904309.html>

of this writing, presumably in an effort to balance the needs and desires of housed and unhoused Angelenos, the City Council has chosen to amend the law.³

The bulk of the proposed amendments—LAMC 41.18(d)—comprise a set of restrictions on where unsheltered people may dwell. Among other things, this section states that “No person shall sit, lie or sleep in or upon any street, sidewalk, or other public right-of-way”:

- (1) At any time in a manner that restricts ten feet of clearance from any utilizable and operational entrance, exit, driveway or loading dock.
- ...
- (3) At any time:
 - (i) **Within 500 feet of a park.** [Emphasis mine.]
 - (ii) **Within 500 feet of a school.** [Emphasis mine.]
 - (iii) **Within 500 feet of a daycare center.** [Emphasis mine.]
 - (iv) In or upon any tunnel, bridge or pedestrian subway that is on a route designated by City Council resolution as a school route.
 - (v) Within 500 feet of a facility opened after January 1, 2018 to provide housing, shelter, supportive services, safe parking, or storage to homeless persons.

There are valid sociological arguments that the above restrictions substantially criminalize homelessness, amount to a kind of segregation, feed negative and inaccurate stereotypes of people experiencing homelessness, distract from the critical problem of building housing, and are fundamentally unenforceable.⁴ There are also legitimate concerns that other sections of the ordinance (not reproduced) are overly vague, opening the door to abuse.

Whatever one’s stance on these issues, it benefits any discussion of this or other laws to start from the facts: without a realistic assessment of the human impact of 41.18, we cannot proceed to optimize or eliminate the ordinance to bring our statutes in-line with our values. This document is intended to provide such an assessment, and so aid this endeavor.

I will focus on the bolded clauses above: 41.18(d)(3)(i) through (iii)—hereafter “41.18(d).” I limit my analysis simply because these items are readily amenable to quantitative study using public data. I touch on potential ramifications of 41.18(d)(1), (3)(iv), and (3)(v) in Section 4, but I believe the effects of these three 500 ft restrictions are enough to warrant significant concern, if not a rethinking of the boundaries themselves.

I proceed as follows: Section 2 outlines my analyses and the data on which they are based; Section 3 summarizes my results; Section 4 motivates and presents six recommendations for action based on my findings, and explores caveats.

³Council File 19-0602-S1; http://clkrep.lacity.org/onlinedocs/2019/19-0602-S1_rpt_hp_8-21-19unsigned.pdf.

⁴e.g., https://twitter.com/EveryoneIn_LA/status/1169031003282780161?s=20.

2 Methodology

I have two aims: (1) find a proxy for the amount of space 41.18(d) would render off-limits to people experiencing homelessness; (2) estimate the number of such people thereby affected.

There are multiple ways to estimate the amount of real estate 41.18(d) could proscribe. The simplest is to assume all of the city's ~1000 public schools,⁵ ~1000 daycares,⁶ and 270 parks⁷ are infinitesimal points. The fraction of area affected by 41.18(d) is then the total area of N , 500 ft-radius circles, where $N = 2270$ is the number of such objects (which neglects private schools). Dividing this area—about 64 sq. mi—by LA's total non-park land area—421 sq. mi⁸—yields a conservative estimate of the restricted space of about 15%. A more rigorous version of this calculation by *The LA Times* finds 26%.⁹

However, beyond underestimating the impact of schools, etc.—which are not points (as *The Times* recognized)—and neglecting the fact that built structures, roads, and private property render much of LA's land unavailable to unhoused people, that kind of approach assumes Angelenos experiencing homelessness are distributed over areas as opposed to *along streets*. This point is important because streets can be wound into very different lengths within the same area. At a fixed number of people per street mile, this means that very different fractions of the population can be affected by the same areal restriction depending on the number and configuration of the intersecting streets.¹⁰ As such, a better estimate of a restriction's impact is the *length* of sidewalk it proscribes, not the area of the buffer zones. I adopt this assumption below.

In this case, the best proxy for 41.18(d) is LAMC 85.02, an ordinance which currently prohibits dwelling in a vehicle at any time also within 500 ft of a school, park, or daycare. Maps of affected streets are publicly available at <https://geohub.lacity.org>,¹¹ which also provides a breakdown of the 2019 Los Angeles Homeless Services Authority (LAHSA) homeless count at the census tract level.¹² These two datasets are sufficient to estimate both the amount of space and the number of people potentially affected by 41.18(d), and I base all that follows exclusively on them.

To assess the fraction of restricted street miles, I first filtered the 85.02 map to only those streets permanently off limits to vehicular dwelling. These are highlighted in red in Figure 1. I then used

⁵https://geohub.lacity.org/datasets/70baff6da243e40298ba9246e9a67409b_0 suggests 1213, which I discount as LAUSD extends beyond LA City.

⁶https://childcarecenter.us/county/los_angeles_ca suggests 2929, which equates to 1171 when weighted by LA City's share of LA County's population (assumed 40%).

⁷<https://www.laparks.org/parks>.

⁸https://www.tpl.org/sites/default/files/files_upload/CityParkFacts_2017.4.7.17.FIN_LO_.pdf.

⁹September 9, 2019; <https://www.latimes.com/projects/homeless-sleeping-maps/>

¹⁰Imagine a region 1 mi wide and 1 mi long with a street running its length and another running its width intersecting at its center. This space has $2 \times (1 + 1) = 4$ mi of linear real estate available for living—either side of two, 1 mi long streets. If a half-mile wide restriction were placed at the center of this space running its full length, $2 \times (0.5 + 1) = 3$ mi of sidewalk would become proscribed, and $0.5 \times 1 = 0.5$ sq. mi of area. This restriction would rule-out 75% of the streets, but only 50% of the land area. Adding more streets inside the proposed restricted zone would rule-out ever-higher fractions of livable sidewalk without increasing the areal impact at all.

¹¹<https://lahubcom.maps.arcgis.com/home/item.html?id=ef425926c6d64c6da637ccd7fd70c455>

¹²<https://lahubcom.maps.arcgis.com/home/item.html?id=2e970263e06d4ea2a0c5c4c97d2a3ded>

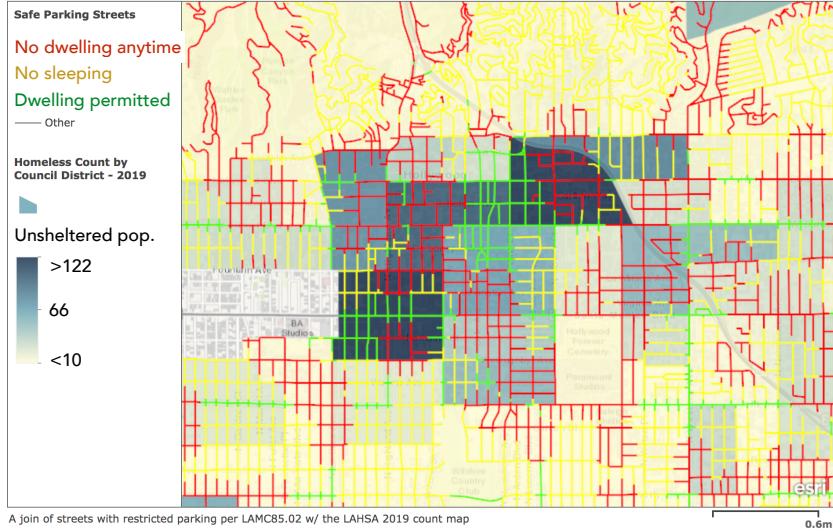


Figure 1: An overlay of LAMC 85.02 restrictions on a heat map of the 2019 LAHSA unsheltered count in Central Hollywood census tracts. Red lines denote *No Vehicle Dwelling Anytime*, corresponding to streets within 500 ft of schools, parks, and daycares. The fraction of such streets—which 41.18(d) would also proscribe—can approach 100% in some tracts. The proposed ordinance would be highly disruptive in all such areas with a high density of unsheltered people (darker background colors).

the “Summarize Within” tool in geohub’s “Analysis → Summarize Data” package to sum the total length of these restricted streets (in miles) in each of the 1004 LA City census tracts in the LAHSA dataset. I repeated this procedure with the full 85.02 map (all colors in Figure 1) to obtain an estimate of the total street length within each tract. I then matched these datasets to create a final table with the total and restricted street lengths, and LAHSA counts in each tract.

I find LA’s total street length to be 6,776 mi, within 4% of the Bureau of Street Services quoted 6,500 mi.¹³ Similarly, I find the total length of 85.02-restricted streets to be 2,601 mi. These results suggest that 41.18(d) may prohibit living on 38% of LA’s streets, roughly 4 out of every 10 blocks.

To estimate the number of people this restriction might affect, I limited my analysis to unsheltered individuals, assuming they were at highest risk of displacement by any regulations on street life. While not affected by sleeping prohibitions, the sheltered population may be affected by daytime constraints, suggesting the results in the next section are conservative.

As of January 2019, the City of LA had a total unsheltered population of 27,221 people.¹⁴ The sum of the unsheltered counts from the geohub dataset is 26,605 people, suggesting that uncertainties in apportioning the LAHSA count to each census tract are roughly 2% in the aggregate. Assuming these are distributed normally among Council Districts (CDs), this would imply up to

¹³<https://streetsla.lacity.org/what-we-do>

¹⁴<https://www.lahsa.org/documents?id=3421-2019-greater-los-angeles-homeless-count-city-of-los-angeles.pdf>

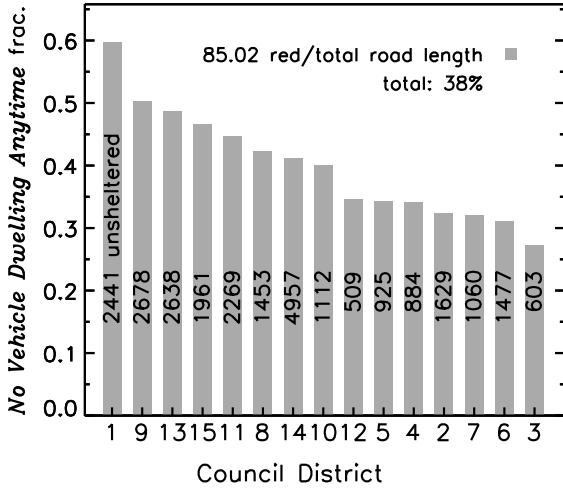


Figure 2: The fraction of each CD’s total street mileage affected by 41.18(d)’s 500 ft school, park, and daycare restrictions is shown by the grey bars. No CD has less than 25% of its streets proscribed, and two have over 50%. The number of unsheltered individuals in each CD as of January, 2019 is printed in each bar.

9% uncertainties on a CD-by-CD basis. Such errors are small compared to the effects discussed below, but they are larger than simple CD-level counting errors ($\lesssim 5\%$) and so are taken as uncertainties where appropriate. Figure 2, shows the fraction of street mileage in each CD estimated to be proscribed by 41.18(d), as well as their unsheltered population counts.

3 Results

Figure 2 suggests that 41.18(d) will render between 25% (CD3) and 60% (CD1) of a CD’s sidewalks off limits to unhoused Angelenos at all times, with half of CDs losing more than 40%. These already substantial fractions become more concerning once weighted by each district’s unsheltered population. Figure 3 shows those statistics, which account for the fact that not all parts of a district have the same share of people experiencing homelessness.¹⁵

Assuming that unsheltered individuals are evenly distributed within a census tract (see Section 4), as many as 12,391 total individuals—almost half of the city’s total unsheltered population—are at risk of displacement. This corresponds to up to 2,000 people in a single CD, over 1,000 individuals in five CDs, over 590 people in half of CDs, and never less than 160 people in any CD. Such numbers clearly suggest that substantial outreach efforts will be necessary to ensure an orderly and humane roll-out of 41.18 as currently proposed.

At the finest-grained level available, about 11,300 unsheltered Angelenos live in census tracts where at least half of all sidewalks will become off-limits. Nearly 3,400 people live in tracts where at least 75% will be proscribed. Table 1 presents more details.

¹⁵ $\sum_{i=1}^{N_{\text{tracts}}} (L_{\text{restr}}/L_{\text{tot}})_i N_{\text{unshelt}, i}$ over all tracts in a CD, where $L_{\text{restr}}/L_{\text{tot}}$ are the i -th tract’s restricted/total street lengths, and N_{unshelt} is its LAHSA unsheltered count.

Table 1: Census Tract-level Unsheltered Population by Restricted Street Fraction

Percentage of tract sidewalks off-limits	$\leq 5\%$	$\leq 25\%$	$\geq 50\%$	$\geq 75\%$	$\geq 95\%$
Percentage of unsheltered residents in such tracts	2.7%	18.7%	42.5%	12.7%	2.7%
Number of unsheltered residents in such tracts	708	4,989	11,317	3,380	726

LA's unsheltered population in census tracts with a given fraction of sidewalk miles proscribed by 41.18(d). Over 700 people live in places where less than 5% of sidewalk space would be available for dwelling.

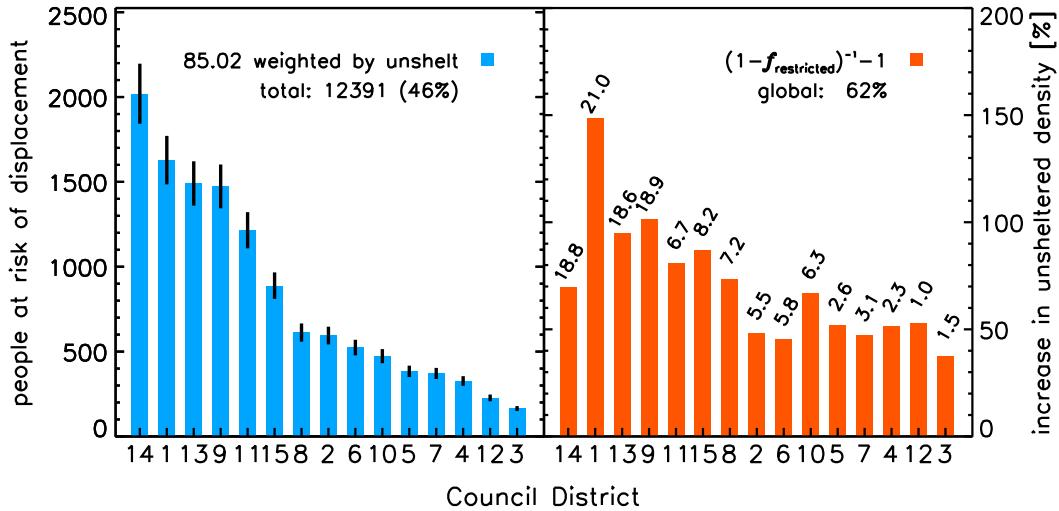


Figure 3: *Left:* Citywide, 41.18(d) puts almost 12,400 unsheltered people at risk of displacement. Five CDs could see over 1,000 disrupted lives; no CD would see less than 160. This presents serious outreach and enforcement challenges to each Councilmember. *Right:* unsheltered densities may rise by at least 30% in all CDs, with CDs 1 and 9 seeing $\geq 100\%$ increases, and the city seeing a $\sim 60\%$ increase on the whole. Four CDs would see streets crowd to one unsheltered person every 250 ft on average (linear densities printed on bars). Since public health and safety issues might be sensitive to interactions between people, those rates may rise as the density *squared*, suggesting 3–6× increases in some places.

In terms of where displaced people will go, the right panel of Figure 3 shows the increase in density of unsheltered homeless people (per linear street mi) as a percentage over a baseline where 100% of streets are available for living (likely generous) and there is no increase in homelessness relative to 2019 (likely conservative).¹⁶ It is possible that every CD will see at least a 30% increase in local unsheltered densities after 41.18(d) is enacted, with CDs 1 and 9 seeing over 100%. The absolute densities can remain modest (see labels at *right*), but in CDs 1, 9, 13, and 14, the average

¹⁶ $1/(1 - f_{\text{restr}}) - 1$, where f_{restr} are the bar heights in Figure 2. I assume people will stay within their CD.

spacing between people experiencing homelessness would be less than 280 ft. Globally, these figures imply a city-wide increase in homeless street density of about 62%, or one unsheltered Angeleno for every 825 ft of road (vs. about 1340 ft, today).

While striking on their own, the implications for public health and safety may be greater: naively, interactions between people would increase as the density squared. If so, whatever phenomena depend on such interactions could rise by 3–6× given the above estimates.

4 Recommendations and Discussion

4.1 Recommendations

The following sections detail a number of harmful effects 41.18(d) might have on thousands of Angelenos. *These will be minimized if 41.18(d)'s exclusions are minimized.* I therefore recommend:

1. *The Committee should consider reducing the 500 ft exclusion zones and removing those that are not motivated by data. The buffers should be designed to minimize impact on unsheltered Angelenos, and so be as compact as possible to accomplish a given purpose. Once that purpose is identified, evidence from, e.g., public health and public safety sources should be used to determine the smallest appropriate boundary, if one is necessary at all.*
2. *The Committee should consult the County Public Health Department or an appropriate City body to assess the consequences of any densification of unsheltered populations due to 41.18(d). Strategies to mitigate harm should be in place prior to promulgation.*
3. *The City should assess the fraction of sidewalks proscribed by 10 ft entrance/driveway restrictions in areas of high unsheltered density. These begin to rule-out substantial amounts of street length where the average spacing between such objects approaches 20 ft.*
4. *The City should study the detailed distribution of unsheltered people in areas with good mixes of LAMC 85.02-restricted and unrestricted streets to determine if there is clustering around proposed exclusion zones.*
5. *The City should assess the number of bridges, tunnels, and subways on school routes and begin consistent outreach to those communities well in advance of enacting the new ordinance.*
6. *The Committee should ensure robust plans are in place to help affected Angelenos relocate and maintain continuity of contact with their case workers/service providers. Strategies for combating the negative effects of moving people farther from sanitary facilities should also be implemented, or the buffer zones around parks should be removed.*

I motivate these recommendations below assuming 41.18(d) will stay as currently drafted.

4.2 Minimum/Maximum Displacement Estimates and Caveats

My best estimate based on projected off-limit streets and the most recent census tract level LAHSA statistics suggests that 38% of LA's sidewalks will be made unavailable to our homeless population. Assuming that all streets are equally likely to be populated, this implies a potential displacement of about 12,400 individuals, with no CD having fewer than 160 displaced persons.

Lower, almost certainly less accurate estimates derive from the simple fraction of LA's area within 500 ft of schools, daycares, and parks mentioned in Section 2. At 15%, this implies about 4,100 people at risk of displacement. Considering only LAUSD schools in tracts with at least 10 unsheltered people, the restrictions imply a minimum of 8% affected area, or about 2,200 people.

Hence, **no fewer than 2,000 people are at risk of displacement by the proposed 41.18(d) amendments, with the actual number likely 5 to 6 times higher. In all cases, the impact would disrupt a large number of lives, and all subsequent action should be taken with this in mind (Recommendation 1).**

The following are factors I neglected that would tend to increase the above estimates:

1. *Driveways.* LAMC 41.18(a) and (d)(1) prohibit people from dwelling on sidewalks within ten feet of “operational entrance[s], exit[s], driveway[s] or loading dock[s].” This proscription seems reasonable from a safety perspective, but would exclude 20% of sidewalk length even at a generous driveway spacing of 100 ft. As a recent study of Echo Park has found,¹⁷ this restriction may significantly further densify unsheltered communities in crowded areas, or displace significant people in places where close to 100% of the sidewalk is so proscribed. If competition to stay in the remaining space leads to conflict, this restriction may prove counterproductive (*Recommendation 3*).
2. *Bridges, tunnels, and pedestrian subways on school routes.* These remove a negligible fraction of sidewalks, but highway underpasses can be home to robust communities of unsheltered people. If any of these happen to be along school routes, this clause would also cause significant additional displacement/disruption (*Recommendation 5*).
3. *New housing facilities, e.g., Bridge Homes.* 41.18(d)(3)(v)’s 500 ft restrictions around these sites are meant to curb encampment growth near supportive housing. Today, there are too few of these projects to proscribe a meaningful number of streets. However, as many more facilities open, their footprints may become significant. If the supply of such housing does not meet demand—a depressing but plausible situation—it may further densify or displace unsheltered Angelenos even as it brings some of that community indoors.

Lastly, my assumption that all streets are intrinsically equally likely to be home to unsheltered people could bias the above estimates either way: If unsheltered Angelenos already avoid streets within 500 ft of schools, daycares, and parks, then my estimates are too high. If they tend to cluster within those limits—e.g., because of enhanced access to park restrooms—then they are too low.

¹⁷<https://www.latimes.com/california/story/2019-09-16/homeless-sidewalk-sleeping-los-angeles-map>.

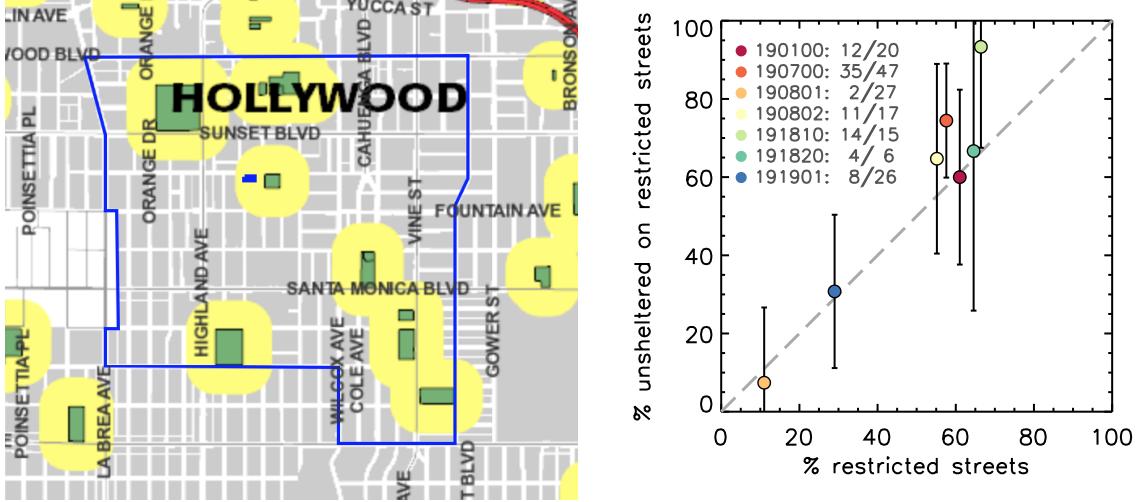


Figure 4: A ZIMAS map of Central Hollywood (left) showing the Neighborhood Council in blue and 41.18(d)'s 500 ft exclusions zones around schools/parks/daycares in yellow (<http://zimas.lacity.org/>). A foot survey of this district's seven census tracts found the fraction of unsheltered people dwelling in the yellow zones to be consistent with the fraction of street miles they cover (right; grey dashes show the 1-to-1 line). This suggests that the assumptions behind Section 3's results are fair. More surveys are needed to confirm this and enhance estimates of 41.18(d)'s effects. (Point colors at denote census tracts; unsheltered counts on restricted/unrestricted sidewalks are listed in the legend. See Footnote 18 for walking survey details.)

To get a sense of this potential bias, I performed a walking survey of the seven census tracts within the jurisdiction of the Central Hollywood Neighborhood Council (Figure 4, *left*).¹⁸ These tracts contain 32.4 mi of streets, 16.2 mi of which would be 41.18(d)-proscribed. If unsheltered people were equally likely to inhabit any street at the neighborhood level, 50% should therefore be in restricted zones. Indeed, I found $54\% \pm 8\%$ —86 out of 158 unsheltered people (Poisson errors)—sitting, sleeping, or lying on off-limit streets, suggesting no significant bias is present.

This statement holds at the individual tract level, albeit with substantial uncertainties: Figure 4, *right*, shows that the fraction of unsheltered people seen living on restricted streets is consistent with the restricted street fraction in that tract. While better surveys in more neighborhoods are clearly needed to flesh-out and generalize this finding (*Recommendation 4*), to the extent that I can assess them, the assumptions behind my results seem fair.

¹⁸Tracts 190100, 190700, 190801, 190802, 191810, 191820, and 191901. Survey conducted on 1–8 September 2019 from roughly noon to 2 pm. I walked every major E/W thoroughfare and some N/S ones for a total of 22.8 total mi. I visually inspected non-walked streets as I passed, counting individuals, vehicles appearing as dwellings, and tents. Adding unsheltered people on foot (59), my estimates capture about 40% of the 2019 LAHSA Count, but, given the informal nature of my survey, differences in the time of day, and the fact that I did not inspect tents or vehicles for their number of occupants, I am not confident that this offset is meaningful.

4.3 Higher-level Concerns

Restrictions like 41.18(d) can displace or densify communities: as space for people experiencing homelessness is removed, they may move to new locations or crowd the remaining space. I studied the latter quantitatively, and—in regions where the number of unsheltered people per mile of sidewalk is already high—public health concerns may arise. As mentioned, some regions might experience a doubling of unsheltered density. Assuming the spread of illness is sensitive to this, 41.18(d)'s public health consequences must be understood before further action is taken (*Recommendation 2*).

Regarding displacement, while it may partially ameliorate densification and so some health concerns, it introduces others that warrant serious forethought. For example, moving people 500 ft away from parks may move them 500 ft away from their principal sanitary facility—the park restroom. For people with limited mobility, this may lead to deleterious personal and public health consequences (*Recommendation 6*). Another example is the dispersion of tight-knit communities now dwelling under overpasses that happen to be on school routes. Breaking apart these communities—which can have robust social infrastructures—may cause psychological and material damage to their former residents and delay their progress to housing (*Recommendation 5*).

More generally, any displacement removes unsheltered people from the places in which their case workers are used to finding them. Such situations may cause disruptions in service provision and again set back people's progress to housing (*Recommendation 6*).

In all cases, the details of an ordinance like LAMC 41.18 as currently proposed clearly have serious potential human impacts and therefore deserve serious study. When the lives of thousands of Angelenos will be affected, the City Council should take all possible action to minimize harm. The resources necessary to ensure that this ordinance is humanely enacted and enforced should be in place with clear, widely known, well understood, and *well motivated* guidelines publicized well before the law goes into effect. Absent such preparation, it seems irresponsible to promulgate such an ordinance. I hope the Council finds this document helpful in its efforts to avoid that outcome.

Communication from Public

Name: Alec Vandenberg
Date Submitted: 09/24/2019 06:19 PM
Council File No: 19-0602-S1
Comments for Public Posting: Increased policing and criminalized represents a gross misappropriation of resources as well as an immoral and ineffective strategy to house all Angelinos. Resources ought to be dedicated to housing and services, not citations, arrests and sweeps. This discussion cannot be framed as a choice -with a chronic shortage of emergency shelter and an affordability crisis, we cannot and should not punt people experiencing homelessness across the city and harass them, depriving them of access to their spaces.

Communication from Public

Name: Tom Klemperer
Date Submitted: 09/24/2019 07:02 PM
Council File No: 19-0602-S1
Comments for Public Posting: I most STRONGLY urge you to amend 41.18. The health and safety of our community is at stake.