

Your Community Impact Statement has been successfully submitted to City Council and Committees.

If you have questions and/or concerns, please contact the Department of Neighborhood Empowerment at [NCsupport@lacity.org](mailto:NCsupport@lacity.org).

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#### Contact Information

Neighborhood Council: Atwater Village Neighborhood Council

Name: Edward Morrissey

Phone Number: (323) 774-8707

Email: [edward@atwatervillage.com](mailto:edward@atwatervillage.com)

The Board approved this CIS by a vote of: Yea(14) Nay(0) Abstain(1) Ineligible(0) Recusal(0)

Date of NC Board Action: 02/11/2021

Type of NC Board Action: Against unless Amended

#### Impact Information

Date: 02/27/2021

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 20-1376

Agenda Date: 02/11/2021

Item Number: 6c

Summary: AVNC opposes unless amended. See attached.

Atwater Village Neighborhood Council opposes (unless amended) the ordinance in CF-20-1376 which would expand the purview of LAMC Ordinance 41.18, the so called "sit-sleep-lie" ban, that targets unhoused Angelenos. We understand that this is a response to the settlement between the city and Judge David Carter, and that much needs to be done to address homelessness. However, expanding criminalization is not the answer to this ongoing crisis.

While Judge Carter is requiring the city to change how it allows people to sleep near freeways, this ordinance goes far further and includes sections that criminalize people sleeping within 10 feet of driveways all over the city, as well as a number of other significant expansions of this controversial policy including criminalizing anyone who is unhoused who has been offered shelter in the past. This aspect of the ordinance is particularly difficult as we know that housing and shelter are rarely one size fits all solutions, and there is a particular dearth of supply of the housing that the most vulnerable Angelenos need. Further this array of modifications will make enforcement extremely complicated.

LAMC 41.18 has already been deemed unconstitutional via the *Boise v. Martin* decision, and has been put on pause due to the pandemic. The pandemic is not over, and expanding the areas covered by 41.18 is likely to draw further legal challenges. The pandemic is also placing extreme economic pressures on Angelenos during a time of skyrocketing housing prices.

Additionally, bringing back these policies of criminalization, especially amidst a structural housing shortage, are both cruel, and could well put the city once again in abrogation of the US Constitution. We do not want the city to continue to skirt the very boundaries of what is legal in America to remedy the homelessness crisis in LA. We want the City to implement proven humane solutions, provide sufficient housing and services, and stop using police as functional caseworkers. This proposed measure as written fails on these counts. As Judge Carter himself said at a meeting this month, "where is the housing?"

That said, an amendment to this motion was proposed by Councilmember Bonin, and were it to be implemented, we would no longer oppose this motion.

Crucial components of the proposed amendment we would want implemented are:

- Identified, tangible, and existing housing resources
- A commitment to appropriate housing placements
  - This would ensure the specific needs of unhoused residents were being met
  - Needs would factor in gender identity and ability to thrive in a congregant vs individual setting
  - Would also factor in distance from existing community
- A real-time, accessible database of available housing and shelter
- A commitment that housing, shelter or services will be offered by caseworkers
  - This would take the role of housing provision out of the hands of police, who disproportionately have use of force incidents with unhoused residents, and place it back in the hands of social workers.
- A commitment that housing, shelter and services will be provided, not merely offered
  - This would prevent someone who turns down shelter because it does not meet their needs from later being criminalized.
  - Also ensures logistical issues such as transportation and storage are factored into the process.

Additionally, this amendment cites the work done by Judge Carter in Orange County which ended with thousands of unhoused residents placed in housing without a blanket criminalization policy for merely being unhoused. It also pushes to expand the use of hotels as transitional housing, a smart solution that we have backed in the past for sheltering unhoused Angelenos, especially during a pandemic.

We understand that something must be done to respond to Judge Carter's demands on the City. This could be highly impactful in Atwater Village due to our unhoused community's proximity to the freeway. This ordinance should not be approved unless amended in a way that would make the motion legal in the eyes of the court and more just in its implementation of the settlement demanded by Judge Carter. To be clear, we do not believe policing is ever the answer to solving the homelessness crisis LA is mired in, and we must prioritize finding ways to provide housing for those who are unhoused. Therefore we strongly oppose this motion unless amended.