



CITY OF MARTINEZ

**CITY COUNCIL AGENDA
May 15, 2013**

TO: Mayor and City Council
FROM: Gary Peterson, Chief of Police
SUBJECT: AB 5 (Ammiano) Homelessness as Amended April 13, 2013
DATE: May 8, 2013

RECOMMENDATION:

Consider and discuss current legislation proposed by Assemblymember Ammiano. The League of California Cities and the California Police Chiefs' Association are asking cities, business groups, chambers, or other associations to oppose this bill and send a letter of opposition to the Assembly Appropriations Committee.

BACKGROUND:

Despite opposition to AB 5, the League and Chiefs' Association share some common ground with the intent of the bill. Local governments strive to assist those in need by offering housing, mental health counseling and other services. It is believed that other legislation introduced this year would more appropriately create solutions for California's homeless. These include AB 639 (J. Perez), which would repurpose existing bond money authorized to assist veterans with housing and SB 391 (DeSaulnier), which would provide a reliable and steady source of affordable housing money.

There is an interconnectedness of safe, decent, and permanent housing when addressing other needs of California's homeless population, such as mental health or substance abuse treatment, and unemployment. However, any solution must strike a balance between promoting health and safety for all residents and respecting the local designation of resources. Unfortunately, AB 5 would create costly unfunded mandates, blur the line between local jurisdiction authority, and undermine the local decision making process.

AB 5 would increase costs for local law enforcement at a time when funding for public safety is scarce by requiring the annual compilation and reporting of statistics on violations related to obstructing a sidewalk, loitering, sitting, lying down, sleeping in public, soliciting donations, bathing in public places, sleeping in a vehicle, jaywalking, and trespassing.

The bill would usurp local authority by prohibiting the enforcement of existing local ordinances if the county does not maintain year-round non-medical assistance and there are fewer than 50 people on the county's public housing waiting list. Special districts and cities do not have authority over county actions, and yet they would still have their local authority hindered based on the county's actions.

AB 5 requires every local government to have health and hygiene centers with access 24 hours a day, seven days a week to bathroom and shower facilities. This requirement also confuses the autonomy of cities and special districts regarding oversight and administration.

Increase court costs and inhibit revenue collection by guaranteeing persons the right to counsel for failure to appear or pay bail, in addition to providing ample opportunities to file a lawsuit and recover money.

Homelessness is a complicated societal issue that cannot be adequately addressed with a broad program. California would be better served by targeting the root causes of homelessness and providing the resources to allow cities and counties to address the issue at the local level.

While the concept of this bill attempts to expand homeless rights, it contains onerous provisions from the perspective of law enforcement. First, the bill requires every law enforcement agency to compile citations, arrests or law enforcement activities relating to loitering, sitting, lying down, camping, soliciting donations, bathing in a public place, sleeping in a vehicle, violating parking closure laws, and others.

This bill prohibits law enforcement from imposing existing ordinances unless the county meets specified conditions. Conditioning our ability to enforce the law based upon the actions or inaction of another entity makes no sense. Law enforcement has a duty with regards to the health and safety of the general public.

Unfortunately, this bill fails to strike a balance between the rights of the general public and those that are homeless.

FISCAL IMPACT:

The fiscal impact has not been fully calculated, but this bill would require the development of a hygiene center and would require police to develop a system and collect and disseminate records on 17 variables associated with the homeless.

ACTION:

Motion to oppose AB 5 and authorize the Mayor and or City Council to send a letter in opposition to the Assembly Appropriations Committee

Attachments:

Letter of Opposition

California Legislative Information

AB 5 Homeless Persons Basic Rights

APPROVED BY:


City Manager



City of Martinez

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May 15, 2013

Honorable Tom Ammiano
Member of the Assembly
State Capitol
Sacramento, CA 95814

Dear Assembly Member Ammiano:

The Martinez City Council regrets that they must oppose Assembly Bill 5, which aims at creating a homeless person's bill of rights. We certainly agree that all persons in California are free and equal, but the unintended consequence of AB 5 will be to erode that concept, potentially foster behavior that is unhealthy and dangerous, lead to a breakdown in community quality of life and create real public safety issues.

The challenge of homelessness is an unhappy and shameful reality. Local governments in particular are constantly seeking to leverage resources to address the needs of homeless persons and of the communities in which they are located. The impact of AB 5, however, seems to be one that would encroach on the general policy of clean, safe and accessible public places. Under AB 5, it appears that homeless persons would have a right to use public places for public bodily elimination, the collection and storage of goods, including alcohol and possibly drugs, as well as panhandle. The impact of all of these activities is to effectively enact homeless eminent domain where public places are taken and appropriated for homeless use. In other words, AB 5 will remove the public's ability to access and use public places.

Moreover, the increased burdens placed on local law enforcement come at precisely the time when front-line officers are coping with very real and daunting challenges presented by realignment. Our ability to devote resources to achieve positive realignment results will be undermined by the need to divert officers to patrol public places and hygiene facilities that AB 5 will require be open and operating on a 24-hour basis. The costs associated with this bill have not been fully examined or determined, but it is clear that the records collection would have to be done daily, compilation of annual reports would involve the time of several people in all but the smallest agencies. This bill comes at a time where many cities have reduced police staffing levels, and have laid off civilian staff, that would probably be responsible for complying with this legislation.

Honorable Tom Ammiano
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The Martinez City Council supports constructive efforts to address homelessness by increasing access to mental health services, supporting the development of local infrastructures to provide housing, and by assuring that homeless persons themselves are not victimized. We believe that AB 5, as well intentioned as it is, will only serve to make problems of homelessness more intractable.

Sincerely,

Rob Schroder
Mayor, City of Martinez

c: Assembly Appropriations Committee

**AB-5 Homelessness.** (2013-2014)

SECTION 1. *This act shall be known and may be cited as the Homeless Person's Bill of Rights and Fairness Act.*

SEC. 2. *The Legislature finds and declares all of the following:*

(a) In the State of California, there has been a long history of discriminatory laws and ordinances that have disproportionately affected people with low incomes and who are without homes, including, but not limited to, all of the following:

(1) Jim Crow laws: After the Civil War, many states, especially in the south, passed laws denying African Americans basic human rights. In California, these laws also targeted Chinese immigrants. In San Francisco, Chinese residents were forced to live in one area of the city. The same segregation laws also prohibited interracial marriage between Chinese and non-Chinese persons.

(2) Ugly laws: In 1867, San Francisco was the first city in the country to pass a law making it illegal for people with "unsightly or disgusting" disabilities to appear in public. In many cities, these laws persisted until the 1970s.

(3) Anti-Okie laws: In 1937, California passed an Anti-Okie law that criminalized "bringing or assisting in bringing" extremely poor people into the state. The United States Supreme Court struck down the law in 1941, when it declared that these laws are in violation of the commerce clause, and therefore unconstitutional.

(4) Sundown town ordinances: Town policies and real estate covenants were aimed at preventing minorities, homeless persons, and other persons considered to be socially undesirable from remaining within city limits after sunset. Thousands of these towns existed prior to the federal Civil Rights Act of 1968, which made these ordinances and covenants illegal.

(5) Vagrancy laws: Vagrancy laws have been held to be discriminatory on their face because they criminalize a person's status rather than a behavior. Nevertheless, these laws existed in California until the Legislature revised them in 1961.

(b) Act of living ordinances, often known as "quality of life ordinances" and other similar ordinances, are the modern reincarnations of laws of this kind. They are designed to force homeless people to flee local jurisdictions. These local ordinances result in de facto segregation as homeless people are forced out of specific jurisdictions or out of specific neighborhoods within jurisdictions. These practices tend to condemn large groups of inhabitants to dwell in segregated districts or under depressed living conditions that result in crowded, unsanitary, substandard, and unhealthful accommodations. Furthermore, these policies result in criminalization of homeless persons who do not choose, or are unable, to migrate.

(c) Today, in the state, many people are denied the following:

(1) Housing due to their status of being homeless, living in a shelter, a vehicle, the street, or the public domain.

(2) Employment due to their current status of being homeless or living in a shelter or a vehicle on the street.

(3) Housing and employment as a result of not having a fixed or residential mailing address or having a post office box as a mailing address.

(4) Equal protection of the laws and due process by law enforcement and prosecuting agencies.

(5) The ability to make certain purchases or enter certain contests as a result of not having a fixed or residential mailing address or having a post office box as a mailing address.

(6) Access to safe, clean restrooms, water, and hygienic supplies necessary to maintain health, safety, and dignity, especially with the proliferation of closures of public restrooms.

(d) Homeless persons are unfairly targeted by law enforcement, often resulting in the violation of homeless persons' constitutional rights. Lacking the resources necessary to obtain adequate legal representation, homeless persons are often denied relief or damages through the courts.

(e) Homeless persons rarely have access to shelters, and when shelter is available, its conditions can be so poor as to jeopardize their health and physical and mental safety.

(f) Homeless persons are often forced to separate from loved ones, give up their personal property, abandon pets, and make other inhumane choices in order to access even minimal shelter.

(g) Lesbian, gay, bisexual, transgender, gender nonconforming, and queer individuals often are forced to accept inappropriate or unsafe accommodations to access publicly funded emergency shelters.

(h) Children in homeless families are denied the ability to continue receiving education in their preferred school if their family's shelter lies outside the boundaries of their former district.

(i) At the present time, many persons have been rendered homeless as a result of a deep and prolonged economic recession, a severe shortage of safe and affordable housing, a failed mental health system, and a shrinking social safety net.

(j) Section 1 of Article I of the California Constitution provides that "[a]ll people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing, and protecting property, and pursuing and obtaining safety, happiness, and privacy."

(k) Subdivision (a) of Section 7 of Article I of the California Constitution provides, in part, that "[a] person may not be deprived of life, liberty, or property without due process of law or denied equal protection of the laws..."

(l) Concordant with this fundamental belief, a person should not be subject to discrimination based on his or her housing status, income level, mental or physical disability, sexual orientation, gender identity, citizenship, or immigration status. Therefore, it is the intent of the Legislature in enacting this act to protect the rights of all Californians, regardless of their housing status, and to ameliorate the adverse effects of homelessness on people who have no home and on our communities.

(m) It is the intent of the Legislature to enact legislation that would require all state agencies to use the same definition for "homeless persons or people" as follows:

(1) "Homeless" means those individuals or families who lack or are perceived to lack a fixed, regular, and adequate nighttime residence, or who have a primary nighttime residence in a shelter, on the street, in a vehicle, in an enclosure or structure that is not authorized or fit for human habitation.

(2) "Homeless" also means a person whose only residence is a residential hotel or who is residing anywhere without tenancy rights, and families with children staying in a residential hotel whether or not they have tenancy rights.

(n) It is the intent of the Legislature that publicly funded social and health care services be offered in a sufficient quantity to meet the population's needs, without barriers, including geographical barriers, such as making locations inconvenient or creating screen-out barriers, or prohibiting access due to a person's inability to provide identification or criminal justice history, or disability, in order that persons are reasonably able to reach and use that service.

SEC. 3. Part 2.2 (commencing with Section 53.1) is added to Division 1 of the Civil Code, to read:

PART 2.2. Homeless Persons

53.1. For purposes of this part, the following definitions shall apply:

(a) "BID" means a business improvement district, as established under Chapter 2 (commencing with Section 36520) of Part 6 of Division 18 of, or Chapter 2 (commencing with Section 36620) of Part 7 of Division 18 of, the Streets and Highways Code, or any public-private partnership established under any municipal or county law authorized under Chapter 1 (commencing with Section 36500) of Part 6 of Division 18 of, or Chapter 1 (commencing with Section 36600) of Part 7 of Division 18 of, the Streets and Highways Code, whether or not the phrase "business improvement district" is part of the public-private partnership's name.

(b) "BID agent" means any person hired by a BID.

(c) "Harassment" means a knowing and willful course of conduct by law enforcement, public or private security personnel, or a BID agent directed at a specific person that a reasonable person would consider as seriously alarming, seriously annoying, seriously tormenting, or seriously terrorizing a person.

(d) "Homeless persons" or "homeless people" means those individuals or families who lack or are perceived to lack a fixed, regular, and adequate nighttime residence, or who have a primary nighttime residence in a shelter, on the street, in a vehicle, in an enclosure or structure that is not authorized or fit for human habitation. "Homeless" also means a person whose only residence is a residential hotel or who is residing anywhere without tenancy rights, and families with children staying in a residential hotel whether or not they have tenancy rights.

(e) "Public space" means any property that is owned by any state or local government entity or upon which there is an easement for public use and that is held open to the public, including, but not limited to, plazas, courtyards, parking lots, sidewalks, public transportation, public buildings and parks. "Public space" does not include a private business establishment.

(f) "Rest" means the state of not moving, holding certain postures that include, but are not limited to, sitting, standing, leaning, kneeling, squatting, sleeping, or lying.

(g) "Soliciting donations" means asking for food, water, or money, which includes panhandling.

53.2. (a) The existence of homelessness requires that fundamental rights that are amply protected in the home and in private places be extended to the public domain to ensure the equal rights of all Californians, homeless and housed. Every homeless person in the state shall have all of the following basic human rights and legal and civil protections, except when prohibited by federal law:

(1) The right to move freely in the same manner as any other person in public spaces without being subject to criminal or civil sanctions, harassment or arrest by law enforcement, public or private security personnel, or BID agents because he or she is homeless.

(2) The right to rest in a public space in the same manner as any other person without being subject to criminal or civil sanctions, harassment, or arrest by law enforcement, public or private security personnel, or BID agents because he or she is homeless, as long as that rest does not maliciously or substantially obstruct a passageway.

(3) The right to eat, share, accept, or give food or water in public spaces in the same manner as any other person without being subject to criminal or civil sanctions, harassment, or arrest by law enforcement, public or private security personnel, or BID agents because he or she is homeless.

(4) The right to solicit donations in public spaces in the same manner as any other person without being subject to criminal or civil sanctions, harassment, or arrest by law enforcement, public or private security personnel, or BID agents because he or she is homeless.

(5) The right to the same protections that law enforcement agencies afford any other person, including, but not limited to, the right to reasonable protection from assault, domestic violence, sexual assault, or robberies.

(6) The right to rest in a public space, without being subject to criminal or civil sanctions, harassment, or arrest by law enforcement, public or private security personnel, or BID agents, except that law enforcement may enforce existing local laws if all of the following are true: (1) the person's county of residence maintains 12 months per year of nonmedical assistance provided for in Section 17000 of the Welfare and Institutions Code for employable, able-bodied adults without dependents who are compliant with program rules established by the county, including work requirements; (2) the locality is not a geographical area identified by the United States Department of Labor in accordance with Subpart A of Part 654 of Section 20 of the Code of Federal Regulations as an area of concentrated unemployment or underemployment or an area of labor surplus; and (3) the public housing waiting list maintained by the county contains fewer than 50 persons.

(7) The right to engage in lawful self-employment in the same manner as any other person, including, but not limited to, the right to seek self-employment in junk removal and recycling that requires the collection, possession, redemption, and storage of goods for reuse and recycling, without being subject to criminal or civil sanctions, harassment, or arrest by law enforcement, public or private security personnel, or BID agents because he or she is homeless.

(8) The right to pray, meditate, or practice religion in public spaces in the same manner as any other person, without being subject to criminal or civil sanctions, harassment, or arrest by law enforcement, public or private security personnel, or BID agents because he or she is homeless.

(9) The right to decline admittance to a public or private shelter or any other accommodation, including social services programs, for any reason he or she sees fit, without being subject to criminal or civil sanctions, harassment, or arrest from law enforcement, public or private security personnel, or BID agents.

(10) The right to occupy a motor vehicle, as defined in Section 415 of the Vehicle Code, or recreational vehicle, as defined in Section 18010 of the Health and Safety Code, either to rest, sleep, or use for the purposes of shelter, provided that the vehicle is legally parked on public property, without being subject to criminal or civil sanctions, harassment, or arrest from law enforcement, public or private security personnel, or BID agents.

(11) The right to confidentiality of his or her records and information by homeless shelters, medical centers, schools, or any other publicly funded human service provider to law enforcement agencies, employers, or landlords, except that the records or information may be disclosed if the disclosure is based on appropriate legal authority. Disclosure of an individual's records or information shall not be allowed unless the individual received oral and written notice of the legal authority to disclose this information and the individual's right to opt out of having the records or information disclosed.

(12) (A) The right to assistance of counsel, if a county chooses to initiate judicial proceedings under any law set forth in Section 53.5. The accused shall be advised of this right to counsel before entering a plea, and any waiver of this right shall be explicit. If the district attorney's office or its agent is representing the state in any part of an infraction proceeding, the accused shall have the right to assistance of counsel with regard to that infraction.

(B) The county where the citation was issued shall pay the cost of providing counsel under this paragraph.

(C) This paragraph shall not be construed to eliminate any protection or right to representation available under Sections 5365 and 6500 of the Welfare and Institutions Code or any other provision of law.

53.3. (a) A public employee shall not be retaliated against by his or her employer, for offering available public resources to a homeless person in order to protect that person from harm, including, but not limited to, offering or providing food, blankets, first-aid supplies, or water.

(b) Any person or organization offering food or water in a public space to any homeless person shall not be subject to criminal or civil sanctions, arrest, or harassment by law enforcement, public or private security personnel, or BID agents.

53.4. (a) Every local government and disadvantaged unincorporated community within the state shall have sufficient health and hygiene centers available 24 hours a day, seven days a week, for use by homeless people. These facilities may be part of the Neighborhood Health Center Program.

(b) For purposes of subdivision (a), the health and hygiene centers shall be funded by the State Department of Public Health through those county agencies that oversee public health programs, and, at a minimum, shall contain public bathroom and shower facilities.

(c) The State Department of Public Health shall distribute public bulletins and notices identifying the facilities to be used as health and hygiene centers.

(d) For purposes of this section, "disadvantaged unincorporated community" shall be defined as in Section 65302.10 of the Government Code.

53.5. (a) To ensure equitable and cost-effective enforcement of the Homeless Person's Bill of Rights and Fairness Act (Ch. _____, Stats. 2013), every local law enforcement agency shall annually compile and review the number of citations, arrests, and other enforcement activities made pursuant to laws prohibiting the following:

(1) Obstructing a sidewalk, whether by a person or personal property.

(2) Loitering.

(3) Sitting.

(4) Lying down.

(5) Camping.

(6) Public lodging, including the prohibition specified in subdivision (e) of Section 647 of the Penal Code.

(7) Sleeping in a public place.

- (8) *Soliciting donations.*
- (9) *Soliciting donations at certain restricted locations, including citing people for panhandling under Section 22520.5 of the Vehicle Code.*
- (10) *Bathing in public places.*
- (11) *Sharing or receiving food.*
- (12) *Inhabiting or sleeping in a vehicle.*
- (13) *Violating public park closure laws.*
- (14) *Crossing streets or highways at particular locations, including subdivisions (c) and (d) of Section 21451 of, subdivision (d) of Section 21453 of, subdivision (b) of Section 21456 of, Section 21461.5 of, subdivision (b) of Section 21950 of, Section 21954 of, Section 21955 of, and subdivision (a) of Section 21956 of, the Vehicle Code.*
- (15) *Trespassing, unless the trespassing charge is coupled with any misdemeanor or felony, except those misdemeanors that are included in Section 372 of, and subdivisions (h) to (j), inclusive, and subdivisions (l) and (m), of Section 602 of, the Penal Code.*
- (16) *Failing to appear, pay a fine, post bail, or comply with a condition of a court order, as described in Section 40508 of the Vehicle Code or Section 853.6, 853.7, or 853.8 of the Penal Code.*
- (17) *Any other local or state law enforced against homeless persons and identified by the Attorney General's office, or a city attorney's office.*

(b) A local law enforcement agency shall make this information publicly available under the terms set forth in the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).

(c) A local law enforcement agency shall report the information specified in this section to the Attorney General's office on an annual basis.

53.6. *(a) Any person whose rights have been violated under this part may enforce those rights in a civil action.*

(b) The court may award appropriate injunctive and declaratory relief, restitution for loss of property or personal effects and belongings, actual damages, compensatory damages, exemplary damages, statutory damages of one thousand dollars (\$1,000) per violation, and reasonable attorneys' fees and costs to a prevailing plaintiff.

SEC. 5. SEC. 4. Section 11135 of the Government Code is amended to read:

11135. *(a) No person in the State of California shall, on the basis of race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, housing status, genetic information, or disability, be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination under, any program or activity that is conducted, operated, or administered by the state or by any state agency, is funded directly by the state, or receives any financial assistance from the state. Notwithstanding Section 11000, this section applies to the California State University.*

(b) With respect to discrimination on the basis of disability, programs and activities subject to subdivision (a) shall meet the protections and prohibitions contained in Section 202 of the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof, except that if the laws of this state prescribe stronger protections and prohibitions, the programs and activities subject to subdivision (a) shall be subject to the stronger protections and prohibitions.

(c) (1) As used in this section, "disability" means any mental or physical disability, as defined in Section 12926.

(2) The Legislature finds and declares that the amendments made to this act are declarative of existing law. The Legislature further finds and declares that in enacting Senate Bill 105 of the 2001-02 Regular Session (Chapter 1102 of the Statutes of 2002), it was the intention of the Legislature to apply subdivision (d) to the California State University in the same manner that subdivisions (a), (b), and (c) already applied to the California State University, notwithstanding Section 11000. In clarifying that the California State University is subject to paragraph (2) of subdivision (d), it is not the intention of the Legislature to increase the cost of developing or procuring electronic and information technology. The California State University shall, however, in

determining the cost of developing or procuring electronic or information technology, consider whether technology that meets the standards applicable pursuant to paragraph (2) of subdivision (d) will reduce the long-term cost incurred by the California State University in providing access or accommodations to future users of this technology who are persons with disabilities, as required by existing law, including this section, Title II of the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 ~~and following~~), *et seq.*), and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Sec. 794).

(d) (1) The Legislature finds and declares that the ability to utilize electronic or information technology is often an essential function for successful employment in the current work world.

(2) In order to improve accessibility of existing technology, and therefore increase the successful employment of individuals with disabilities, particularly blind and visually impaired and deaf and hard-of-hearing persons, state governmental entities, in developing, procuring, maintaining, or using electronic or information technology, either indirectly or through the use of state funds by other entities, shall comply with the accessibility requirements of Section 508 of the federal Rehabilitation Act of 1973, as amended (29 U.S.C. Sec. 794d), and regulations implementing that act as set forth in Part 1194 of Title 36 of the Federal Code of Regulations.

(3) Any entity that contracts with a state or local entity subject to this section for the provision of electronic or information technology or for the provision of related services shall agree to respond to, and resolve any complaint regarding accessibility of its products or services that is brought to the attention of the entity.

(e) As used in this section, "sex" and "sexual orientation" have the same meanings as those terms are defined in subdivisions (q) and (r) of Section 12926.

(f) As used in this section, "race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, or disability" includes a perception that a person has any of those characteristics or that the person is associated with a person who has, or is perceived to have, any of those characteristics.

(g) As used in this section, "genetic information" has the same definition as in paragraph (2) of subdivision (e) of Section 51 of the Civil Code.

(h) For purposes of this section, "housing status" means status as a "homeless person" as defined in Section 53.1 of the Civil Code.

SEC. 5. *The Legislature finds and declares that the need to address discriminatory practices is a matter of statewide concern and is not a municipal affair, as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this act shall apply to all cities, including charter cities.*

SEC. 6. *The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.*

SEC. 7. *If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.*

Date of Hearing: April 23, 2013

ASSEMBLY COMMITTEE ON JUDICIARY
Bob Wieckowski, Chair
AB 5 (Ammiano) – As Amended: April 8, 2013

As Proposed to be Amended

SUBJECT: HOMELESS PERSONS: BASIC RIGHTS

KEY ISSUE: SHOULD NEW RIGHTS FOR HOMELESS PERSONS BE ESTABLISHED, INCLUDING A PROHIBITION AGAINST DISCRIMINATION BY PUBLIC ENTITIES ON PUBLIC PROPERTY, RIGHTS TO CONFIDENTIALITY AND LEGAL COUNSEL, PROTECTIONS FOR THOSE WHO AID A HOMELESS PERSON, REQUIRED REPORTS REGARDING SPECIFIED LAW ENFORCEMENT ACTIVITIES AND ESTABLISHMENT OF AID CENTERS?

FISCAL EFFECT: As currently in print this bill is keyed fiscal.

SYNOPSIS

This bill would enact the Homeless Person's Bill of Rights and Fairness Act. As originally introduced, the bill was met with significant criticism. It has since been substantially amended, and further narrowing amendments are proposed today. In the form before this Committee, the bill would establish certain protections against discrimination on the basis of homelessness by public entities with regard to persons on public property engaged in specified activities, such as resting, eating and praying. Further, the bill would prohibit penalties against persons who offer food or water to homeless persons, and would prohibit retaliation against public employees who offer appropriate assistance to a homeless person. The bill also ensures that homeless persons have rights to confidentiality in specified public records, and the right to decline public services without sanction or harassment. In addition, the bill would establish a far broader right to rest on public property, regardless of local prohibitions, unless the applicable county provided specified levels of public benefits. The bill also requires local governments to provide health and hygiene centers for use by homeless people, and requires law enforcement agencies to compile and report data regarding enforcement activities that homeless people allege are selectively enforced against them. Finally, the bill would provide a right to legal counsel when a local government brings specified criminal enforcement actions against a homeless person, and would provide a civil right of action for violations of the civil rights recognized in the bill. The bill would apply only to public officials and quasi-public entities such as Business Improvement Districts (BIDs) and security personnel, not to private business establishments.

Supporters argue that homelessness has increased as the result of increased poverty rates, in conjunction with diminished social spending, leading many local governments to respond by simply criminalizing the basic human activities of homeless people. Opponents representing local governments and business groups argue that the bill fails to strike an appropriate balance between promoting health and safety for all residents and respecting the local designation of resources. Opponents also contend that the bill would create costly mandates, blur the line between local jurisdiction authority, and undermine the local decision making process.

SUMMARY: Recognizes specified rights for homeless people. Specifically, this bill:

- 1) Provides that every homeless person in the state shall have the right to move freely, rest, solicit donations, pray, meditate, or practice religion, and to eat, share, accept, or give food and water in public spaces without being subject to criminal or civil sanctions, harassment or arrest by law enforcement, public or private security personnel, or Business Improvement District (BID) agents because he or she is homeless.
- 2) Provides that every homeless person shall have the right to occupy a motor vehicle or recreational vehicle either to rest, sleep, or use for the purposes of shelter, provided that the vehicle is legally parked on public property, without being subject to criminal or civil sanctions, harassment, or arrest from law enforcement, public or private security personnel, or BID agents.
- 3) Provides that every homeless person shall have the right to the same protections that law enforcement agencies afford to any other person.
- 4) Provides that law enforcement may enforce existing local laws regarding resting in a public place provided that specified human service criteria are met: the person's county of residence maintains 12 months per year of nonmedical assistance for employable, able-bodied adults who are compliant with program rules established by the county, including work requirements; the locality is not a geographical area as an area of concentrated unemployment or underemployment or an area of labor surplus; and the public housing waiting list maintained by the county contains fewer than 50 persons.
- 5) Provides that every homeless person has the right to engage in lawful self-employment, in the same manner as any other person, including, but not limited to, the right to seek self-employment in junk removal and recycling that requires the collection, possession, redemption, and storage of goods for reuse and recycling, without being subject to criminal or civil sanctions, harassment, or arrest.
- 6) Provides that every homeless person shall have the right to decline admittance to a public or private shelter or any other accommodation, including social services programs, for any reason he or she sees fit, without being subject to criminal or civil sanctions, harassment, or arrest from law enforcement, public or private security personnel, or BID agents.
- 7) Provides that every homeless person shall have the right to confidentiality of his or her records and information by homeless shelters, medical centers, schools, or any other publicly funded human service provider to law enforcement agencies, employers or landlords without appropriate legal authority.
- 8) Provides that every homeless person shall have the right to assistance of counsel if a county chooses to initiate judicial proceedings under laws that are often selectively enforced against homeless people.
- 9) Prohibits retaliation against public employees who offer available resources to a homeless person in order to protect that person from harm.
- 10) Prohibits the civil sanction, arrest, or harassment of any person or organization offering food

or water in a public space to a homeless person.

- 11) Provides that every local government and disadvantaged unincorporated community within the state shall have sufficient health and hygiene centers available 24 hours a day, seven days a week, for use by homeless people.
- 12) Requires law enforcement agencies to annually compile and review the number of citations, arrests, and other enforcement activities under laws that are alleged to be selectively enforced against homeless people.
- 13) Requires local law enforcement agencies to make public the records of citations, arrests and other enforcement activities under laws that are alleged to be selectively enforced against homeless people, and to report these records to the Attorney General's office annually.
- 14) Provides that any person whose rights have been violated under this part may enforce that right in a civil action in which the court may award appropriate relief and damages, including restitution for loss of property or personal effects and belongings as well as reasonable attorneys' fees and costs to a prevailing plaintiff.
- 15) Provides that no person shall, on the basis of housing status, be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination under, any program or activity that is conducted, operated, or administered by the state or by any state agency, is funded directly by the state or receives any financial assistance from the state.

EXISTING LAW:

- 1) Provides that all persons are free and equal no matter what their sex, race, color religion, ancestry, national origin, disability, medical condition, genetic information, marital status, or sexual orientation and are entitled to full and equal accommodations, advantages, facilities, privileges, or services in all business establishments. (Civil Code section 51.)
- 2) Establishes that no person shall be discriminated under any state-funded program or activity on the basis of race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, genetic information, or disability. (Government Code section 11135.)

COMMENTS: In support of the bill, the author states:

There is currently no unified state law that defines a statewide standard protecting basic civil rights of our most vulnerable Californians. Today, numerous laws infringe on poor people's ability to exist in public space, to acquire housing, employment, and basic services, and to equal protection under the law. The Homeless Person's Bill of Rights and Fairness Act is a response that can help alleviate poverty and homelessness while protecting people from discrimination and ensuring a right to privacy and personal property.

With poverty and unemployment reaching record numbers in California, our cities have begun enacting a wave of such laws, targeting mostly people without homes. These laws, commonly called "quality of life" or "anti-nuisance" ordinances, criminalize sleeping,

sitting, and even food-sharing in public spaces. Just like the discriminatory laws from the past, they deny people their right to exist in local communities.

According to research published by the Western Regional Advocacy Project, the main “illegal offenses” that people without homes have been charged with as a result of these “nuisance” laws are:

- 83% harassed for sleeping, with 48% of these people cited and 30% arrested.
- 79% harassed for sitting or lying down, with 43% of these people cited and 26% arrested.
- 66% harassed for “loitering” or being present in a public space, with 40% of these people cited and 24% arrested.

This same study found that the majority of people without homes were scared to live on the streets and that they did not know of a safe place to sleep at night where they would not be arrested.

The solution to homelessness is not citations and jail time. A citation for sleeping or standing on the street, instead, contributes to a person’s inability to establish financial solvency and good credit necessary to secure employment and a rental agreement. Citations, arrests and jail time do not solve homelessness, they just route crucial public dollars that could be spent on housing, to an already impacted court and corrections system, neither of which have the responsibility or resources to provide housing. Homelessness is a consequence of poverty and inability to afford housing and can only be curtailed by shifting our priorities to address these root causes.

AB 5 enacts law protecting people without homes from violations of their basic human rights and the people who serve them from penalties. It also resolves to reduce the impact of homelessness on communities and individuals by diverting investment from criminalization to stabilization efforts.

Supporters Argue That Homelessness Has Increased As the Result of Increased Poverty Rates In Conjunction With Diminished Social Spending, Leading Many Local Governments To Respond By Simply Criminalizing Homelessness. This bill is co-sponsored by the Western Center on Law and Poverty, JERICHO, and the Western Regional Advocacy Project which jointly state:

Homelessness is the most brutal and severe face of poverty, experienced daily by 160,000 men, women, and children in California. This represents 20% of the nation’s homeless population. In recent years, there have been increases in the numbers people experiencing homelessness. Homelessness not only has grave human consequences, it also creates challenges for local governments, both rural and urban.

Families with children have been one of the fastest growing groups of homeless people, representing over 40% of the nation’s homeless in 2009 according to the National Coalition for the Homeless. In California, child homelessness is high. The National Center on Family Homelessness has given California a rank of 49th worst in the number of homeless children and 48th worst in the percentage of children who are homeless. According to data collected by the McKinney-Vento Educational Programs more than

292,624 California children experience homelessness each year. Of the 2,200,000 children living in poverty in California, thirteen percent are homeless.

It should come as no surprise that homelessness is increasing among families with children, as poverty among families with children is also on the rise. According to the Public Policy Institute of California, after reaching a low of about 16% in 2001, the child poverty rate in California has been trending upward with nearly 1 in 4 children living in poverty in California (23.2%) in 2010. California is in the minority of states with an increase in child poverty over 5% per year for the last couple of years.

The consequences of poverty for people who lack housing are significant. Homeless families are twice as likely as middle-income families to report that their children have moderate or severe health problems such as asthma, dental problems, and emotional difficulties.

The health consequences of homelessness are not limited to children. On average, homeless adults have 8 to 9 concurrent medical illnesses, commonly suffering from skin conditions, respiratory infections, tooth decay, foot problems, vision disturbances, and trauma. Chronic diseases, such as hypertension, diabetes, and asthma, are prevalent among people without homes and are more difficult to manage. Sexually Transmitted Infections (STIs) are common among homeless girls and women, as a result of limited access to reproductive health services, prostitution, and survival sex (sex in exchange for food or temporary shelter). Homelessness contributes to hard-to-manage medical and psychiatric illnesses because people who don't have homes are more vulnerable to harm caused by crime and violence; prolonged standing; excessive outdoor exposure; and airborne infectious diseases due to overcrowding.

Without a home, people are less able to safely store or prepare food and so are more likely to succumb to food borne illnesses.

The human experience of homelessness is profound. Whether a child, adult or elder, the lack of privacy and social isolation experienced by people with no home can lead to significant bouts of depression and have long-lasting impacts on self-worth and emotional wellbeing. The prevalence of homelessness in the 21st century is a result of an inexcusable failure of our economic and political system that has led, not only, to violations of internationally recognized human rights but also impact the public health of entire communities.

Episodes of mass homelessness have occurred throughout U.S. history. However, in the middle of the twentieth century, following failed attempts to outrun vagrancy by passing laws criminalizing the existence of poverty, New Deal policies and post-World War II social welfare programs effectively reduced the numbers of homeless people in the United States. Certainly, marginally housed populations and severe urban poverty did continue to exist after these policies and programs were initiated, especially amongst elderly men living in skid rows and amongst people facing racist economic discrimination. Yet, few people were so deeply poor and had such limited options that they were forced to live on the streets.

Now, three decades after the first homeless shelters opened, with comparative investments in affordable housing the lowest since it began, there is an uptick in laws that make it illegal to be poor and homeless in public spaces.

The following facts documenting that decline are included in the Western Regional Advocacy Project report Without Housing:

- Between 1978 and 1983, HUD budget authority shrank from \$83 billion to little more than \$18 billion in 2004 constant dollars, and since then has never been more than \$32 billion except for in 2009 and 2010 because of Recovery Act funding.
- HUD Funding for new public housing units has been zero since 1996. Meanwhile, since 1995, 360,000 housing units have been lost. HUD estimates that approximately 100,000 units are sold or destroyed each year.
- Since 1995, 360,000 project-based units of Section 8 housing that have been lost and another 900,000 of these units have contract set to expire before 2014, accounting for the long wait lists for housing assistance. As a result, current funding for the voucher program meets the needs of only one-quarter of homeless families.
- From 1976-1985, a yearly average of almost 31,000 new Section 515 rural affordable housing units were built, from 1986-2005, the average yearly production was 8170, a 74 percent reduction and in 2011 only 763 units were built.

On top of the loss of public housing, affordable housing construction and Section 8 vouchers, rental markets have the lowest vacancy rates in a decade causing rental costs to remain high throughout the recession. According to the Urban Institute's 2011 Out of Reach report, on average in 2011 a household needs to earn \$18.46 an hour, working 40 hours a week, 52 weeks a year, to afford a two-bedroom home at the Fair Market Rent. Perhaps most distressing about, and very much related to, the increase in homelessness and dramatic decrease in federal funding for affordable housing and support for low-income renters caught in this tight rental market is that the federal government is spending more on housing subsidies today than it ever has, but these subsidies overwhelmingly benefit wealthy home owners. Federal expenditures on home ownership mortgage deductions in 2012 were \$131 billion, while total funding in federal low-income housing assistance programs was under \$50 billion.

This bill is also co-sponsored by the East Bay Community Law Center, which states:

At EBCLC, we have worked extensively with homeless clients over the past 25 years. We have seen firsthand the trend toward criminalization of homelessness, and its ill effects. Our clients are charged with trespassing for standing on a public sidewalk, while nearby housed people are – unsurprisingly – not cited. AB 5 would prohibit that kind of selective enforcement. We have elderly and disabled homeless clients who endured criminal prosecution because they were sleeping under an out-of-the-way awning or

overhang on a rainy night. AB 5 would limit enforcement of sleeping laws. We know homeless veterans who were cited for having their neatly packed belongings in public, or who had all their earthly belongings confiscated and destroyed. AB 5 would protect personal property and require restitution when belongings were illegally discarded. It is mind-boggling when we see homeless people turned away from treatment programs, housing, or jobs because they have arrest warrants for "quality of life" tickets. AB 5 would curtail the government resources spent on giving homeless people citations they cannot afford to pay for acts that should not be criminal to begin with, and will thereby reduce jail and court costs that our state can ill afford.

AB 5's provisions are in line with experts' nationally-recognized policy recommendations. Citing and jailing homeless people for being in public is bad public policy, according to the federal government, the U.S. Conference of Mayors, numerous studies and reports and the experiences of homeless people themselves. Studies have shown that businesses do not do better when cities criminalize homelessness. This is partly because criminalization does not house homeless people. In fact, criminalization can exacerbate homelessness, creating warrants and criminal records that can impede a homeless person's chance at getting housing, treatment, or employment.

This Bill Prevents Discrimination On The Basis Of Homelessness By Public Entities In Public Places. This bill prohibits the discrimination against homeless people by public entities and BID agents with respect to specified activities on public property. Specifically: homeless people would have the right to move freely, rest, solicit donations, pray, meditate, or practice religion, and eat, share, accept, or give food and water in public spaces without being subject to criminal or civil sanctions, harassment or arrest by law enforcement, public or private security personnel, or BID agents because he or she is homeless.

Likewise, under this bill homeless people would have the right to occupy a motor vehicle or recreational vehicle either to rest, sleep, or use for the purposes of shelter, provided that the vehicle is legally parked on public property, without being subject to criminal or civil sanctions, harassment, or arrest from law enforcement, public or private security personnel, or BID agents. Homeless people would also have the right to engage in lawful self-employment, in the same manner as any other person, without being subject to criminal or civil sanctions, harassment, or arrest because the person is homeless. This bill also provides that homeless persons shall not be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination under, any program or activity that is conducted, operated, or administered by the state or by any state agency, is funded directly by the state or receives any financial assistance from the state. Thus, enforcement actions by the specified entities on public property that have the purpose or effect of discriminating against a person because he or she is homeless would be prohibited by the bill.

Further, this bill provides that every homeless person shall have the right to the same protections that law enforcement agencies afford to any other person.

This Bill Would Establish A New Right For Homeless People To Rest In Public Spaces Unless A Local Government Provides Specified Levels Of Public Benefits. In addition to the equal-treatment provision noted above, this bill would establish a more absolute right to rest in public places, notwithstanding that an ordinance or enforcement action may treat homeless and non-homeless persons the same. Under the bill, it appears that local governments could not prohibit

sleeping in public parks by enforcing nighttime closing rules unless the county provides a specified level of human services. That is, the bill provides that law enforcement may enforce existing local laws regarding resting in a public place if the person's county of residence maintains 12 months per year of nonmedical assistance for employable, able-bodied adults who are compliant with program rules established by the county, including work requirements; the locality is not a geographical area as an area of concentrated unemployment or underemployment or an area of labor surplus; and the public housing waiting list maintained by the county contains fewer than 50 persons.

This Bill Provides Homeless People The Right To Decline Public Services. According to supporters, homeless people are often forced to separate from loved ones, give up their personal property or pets in order to access public services, including shelters. This bill provides that every homeless person shall have the right to decline admittance to a public or private shelter or any other accommodation, including social services programs, for any reason he or she sees fit, without being subject to criminal or civil sanctions, harassment, or arrest from law enforcement, public or private security personnel, or BID agents.

This Bill Provides Homeless People The Right To Confidentiality Regarding Certain Public Records. The records and information of homeless people kept by homeless shelters, medical centers, schools, or any other publicly funded human service provider would be kept confidential and not be disclosed to law enforcement agencies, employers or landlords unless there is appropriate legal authority to disclose.

This Bill Provides Those Wronged A Remedy For Violation Of Their Rights. Specially, this bill provides that any person whose rights have been violated under this part may enforce that right in a civil action in which the court may award appropriate relief and damages, including restitution for loss of property or personal effects and belongings as well as reasonable attorneys' fees and costs to a prevailing plaintiff.

This Bill Provides The Right To Counsel In Certain Cases. If a county chooses to initiate judicial proceedings under laws that are allegedly enforced selectively against homeless people, this bill would give the homeless person a right to counsel in that proceeding, expanding the existing constitutional right to counsel in criminal cases involving felonies.

The East Bay Community Law Center argues:

In the vast majority of counties, District Attorneys do not send attorneys to traffic court to represent the state in infraction cases. Rather, if a citation is challenged, the citing officer testifies, and the defendant has the opportunity to do so as well - normally, neither party is represented. However, in some small number of counties or cases, the District Attorney is spending attorney resources prosecuting municipal infractions.

For the most part AB 5 does not change existing law about when defendants receive counsel. It does, however, provide that if a prosecuting attorney is present in court, the defendant should have an attorney as well. Counties would be able to avoid the cost of defense (and much of the prosecution cost) by prosecuting infraction cases without an attorney present for the state, as most counties already do. As a result, this provision of AB 5 could save money as well as balance the scales of people charged with crimes.

This Bill Prohibits Penalties Against Persons Who Offer Food Or Water And Prohibits Retaliation Against Public Officials Who Provide Aid. Specifically, this bill prohibits the civil sanction, arrest, or harassment of any person or organization offering food or water in a public space to a homeless person. Additionally, this bill prohibits retaliation against public employees who offer available resources to a homeless person in order to protect that person from harm.

This Bill Requires Local Governments To Provide Aid Centers For Homeless People. Supporters argue that people without a home are limited in their access to safe and responsible personal hygiene. This bill provides that every local government and disadvantaged unincorporated community within the state shall have sufficient health and hygiene centers available 24 hours a day, seven days a week, for use by homeless people.

In Order To Monitor Enforcement and Improve Law Enforcement Efficiency, This Bill Requires Recordkeeping Regarding Certain Law Enforcement Activities. This bill requires law enforcement agencies to annually compile and review of the number of citations, arrests, and other enforcement activities under laws that are allegedly enforced selectively against homeless people. Additionally, this bill requires local law enforcement agencies to make public the records of citations, arrests and other enforcement activities under laws that are often selectively enforced against homeless people and to report these records to the Attorney General's office annually.

The East Bay Community Law Center argues that tracking this information is vital to improved homeless policy in California because "we cannot address the problems of discriminatory enforcement—a problem well attested by anecdote, departmental statements of policy, and historical reason – without good information on enforcement practices. [And] we cannot adequately evaluate policies of criminalization without good information."

ARGUMENTS IN OPPOSITION: This bill is opposed by many local government agencies and business groups. Among others, the League of California Cities, California Downtown Association, and California Special District Associations jointly state:

We recognize the interconnectedness of safe, decent, and permanent housing when addressing other needs of California's homeless population, such as mental health or substance abuse treatment, and unemployment. However, any solution must strike a balance between promoting health and safety for all residents and respecting the local designation of resources. Unfortunately, AB 5 would create costly mandates, blur the line between local jurisdiction authority, and undermine the local decision making process. Specifically, AB 5 would:

- Increase costs for local law enforcement at a time when funding for public safety is scarce by requiring the annual compilation and reporting of statistics on violations related to obstructing a sidewalk, loitering, sitting, lying down, sleeping in public, soliciting donations, bathing in public places, sleeping in a vehicle, jaywalking, and trespassing.
- Usurp local authority by prohibiting the enforcement of existing local ordinances if the county does not maintain year-round nonmedical assistance and there are fewer than 50 people on the county's public housing waiting list. Special districts and

cities do not have authority over county actions, and yet they would still have their local authority hindered based on the counties actions.

- Provide civil and criminal protections for local agency employees who make that agency's property and resources available for use or distribution to homeless persons without the consent of that local agency.
- Require *every* local government to have health and hygiene centers with access 24 hours a day, seven days a week to bathroom and shower facilities. This requirement also confuses the autonomy of cities and special districts regarding oversight and administration.
- Increase court costs and inhibit revenue collection by guaranteeing persons the right to counsel for failure to appear or pay bail, in addition to providing ample opportunities to file a lawsuit and recover money.

Despite our opposition to AB 5, we share some common ground with the intent of the bill. Local governments strive to assist those in need by offering housing, mental health counseling, and other services. As such, we believe that other legislation introduced this year would more appropriately create solutions for California's homeless. These include AB 639 (J. Perez), which would repurpose existing bond money authorized to assist veterans with housing and SB 391 (DeSaulnier), which would provide a reliable and steady source of affordable housing money.

REGISTERED SUPPORT / OPPOSITION:

Support

Western Regional Advocacy Project, Co-Sponsor
Western Center on Law and Poverty, Co-Sponsor
JERICHO: A Voice for Justice, Co-Sponsor
East Bay Community Law Center, Co-Sponsor
ACLU
Asian Law Alliance
Bernal Heights Neighborhood Center
Black Caucus of California Community Colleges
Building Opportunities for Self-Sufficiency
Caduceus Justice
California Alliance for Retired Americans
California Church Impact
California Coalition for Youth
California Communities United Institute
California Hunger Action Coalition
California Latinas for Reproductive Justice
California Nurses Association
California Partnership to End Domestic Violence
California Psychological Association
California Public Defenders Association
California Senior Legislature

Californians United for a Responsible Budget
Causa Justa: Just Cause
Cham Deliverance Ministry
City of Richmond
Coalition on Homelessness, San Francisco
Community Alliance
Community Food and Justice Coalition
Community Housing Partnership
Community Resource Center
Compass Family Services
Disability Rights Advocates
Drug Policy Alliance
End Hunger Action Coalition
Episcopal Community Services, San Francisco
General Assistance Advocacy Project
Hamilton Family Center
Healthy Communities, Inc.
Homeless Action Center
Homeless Emergency Services Providers Association, San Francisco
Homeless Health Care Los Angeles
Homeless Youth Alliance
Hospitality House
Hunger Action Los Angeles
Hyde Street Community Services, Inc.
LA Human Right to Housing Collective
Labor/Community Strategy Center
Larkin Street Youth Services
Lawyers' Committee for Civil Rights of San Francisco Bay Area
Los Angeles Anti-Eviction Campaign
Los Angeles Community Action Network
Los Angeles Poverty Department
Mutual Housing California
National Association of Social Workers
National Coalition for the Homeless
National Economic and Social Rights Initiative
National Health Care for the Homeless Council
National Law Center on Homelessness & Poverty
Occupy Sacramento
Paratransit, Inc.
People Organized For Westside Renewal
People Organized to Win Employment Rights
Public Law Center
Rhode Island Coalition for the Homeless
Richmond Progressive Alliance
Sacramento Homeless Organizing Committee
Sacramento Housing Alliance
Sacramento Loaves & Fishes
Safe Ground Sacramento
Saffron Strand, Inc.

San Diego Hunger Coalition
San Francisco Labor Council
San Francisco Living Wage Coalition
San Francisco Local Homeless Coordinating Board
San Francisco Senior & Disability Action
Sonoma County Task Force for the Homeless
South Hayward Parish
St. Anthony Foundation
St. John's Well Child & Family Center
St. Mary's Center
Swords to Plowshares
Tenderloin Neighborhood Development Corporation
Topanga Peace Alliance
Union de Vecinos
United Council of Human Services, Mother Brown's Dining Room
Venice Community Housing Corporation
Women Organized to Respond to Life-Threatening Diseases
Women Organizing Resources, Knowledge & Services
Women's Empowerment
343+ Individuals

Support if Amended

The Arc California
United Cerebral Palsy in California

Opposition

Air Conditioning Trade Association
Association of California Cities – Orange County
Building Owners and Managers Association of California
California Chamber of Commerce
California Apartment Association
California Association of Joint Powers Authority
California Business Properties Association
California Downtown Association
California Farm Bureau Federation
California Grocers Association
California Hotel & Lodging Association
California Manufacturers and Technology Association
California Park & Recreation Society
California Police Chiefs Association
California Special Districts Association
California State Sheriffs' Association
California Travel Association
Central City East Association
City of Bellflower
City of Buena Park
City of Concord
City of Corona
City of Cypress

City of Lake Forrest
City of Palmdale
City of Menifee
City of Signal Hill
City of Thousand Oaks
Civil Justice Association of California
County of Lassen
Desert Water Agency
East Bay Rental Housing Association
Historic Downtown Los Angeles Business Improvement District
Hollister Downtown Association
Hollywood Property Owners Alliance
International Council of Shopping Centers
League of California Cities
Midtown Business Association
NAIOP of California, the Commercial Real Estate Development Association
National Federation of Independent Business - California
NORCAL Rental Property Association
Orange County Business Council
Plumbing-Heating-Cooling Contractors Association of California
San Jose Downtown Association
Save the American River Association
South Park Community Benefit District
The Apartment Association, California Southern Cities
The River District
Western Electrical Contractors Association

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