



MEMORANDUM

TO: Mayor Roberts and City Councilmembers

FROM: Jessica Simulcik Smith, City Clerk

DATE: June 14, 2016

RE: Documents received at 6/13/16 Council Meeting

CC: Debbie Tarry, City Manager
John Norris, Assistant City Manager

Attached hereto are documents received from the public at your June 13, 2016 City Council Regular Meeting.

- 1) Written comments regarding homelessness submitted by Brad Lancaster.

COUNCIL TALK
6.13.16

My name is Brad Lancaster. I live in Shoreline.

Santa Ana, California, became famous for its approach to homelessness. The city passed an anti-camping ordinance. No one could camp on a street, in a park, or in a parking lot. The city council of Santa Ana consciously engaged a war against homeless people. It wanted them gone. The city tore down tents. The city adjusted park sprinklers to douse homeless groups. After litigation ensued, the city entered a stipulation with its homeless opponents that it would end its "war on the homeless." But the City did not stop. Its harassment of its homeless population persisted.

So, eventually, the California Court of Appeals found against the City of Santa Ana. There the court found that Santa Ana's anti-camping ordinance was a butcher knife where a scalpel was needed. The court said: "[The anti-camping ordinance] is a transparent manifestation of Santa Ana's policy, adopted five years ago, to expel the homeless. The city may preclude the erection of structures in public places and it might ban "camping" in select locations with a properly drafted ordinance, but it may not preclude people who have no place to go from simply living in Santa Ana. And that is what this ordinance is about."

So, you might think that the law of California welcomes homeless people. That is not so. The *Tobe v. Santa Ana* case went on to the California Supreme Court. The high court overturned the court of appeals, and upheld Santa Ana's anti-homelessness statute. I listened to portions of that Supreme Court argument today on C-SPAN. The high court was determined to find some basis for upholding Santa Ana's anti-camping statute. It made much of public urination and drug use. The high court pretended not to know who homeless people are. Generally, the court exhibited all the worst aspects of results-oriented decision-making one ever finds in the judicial system. The court's responses were, frankly, demeaning for homeless persons, and disheartening for this lawyer.

We learn two things from the *Tobe v. Santa Ana* case. First, cities sometimes go great distances to make themselves unwelcoming to homeless persons. When they do so, they simply discriminate. Second, whenever one decides to discriminate against homeless persons, one will find allies, sometimes in high places. Such supporters of ugly measures erode the judicial system itself.

Shoreline should avoid Santa Ana's approach. Do not make war on homeless people, directly or indirectly.