



Outlook

Public comment regarding the proposal for an anti-camping ordinance from 11/4/25 meeting

From Amy Scott <als1135@humboldt.edu>**Date** Tue 11/4/2025 11:22 AM**To** COB <COB@co.humboldt.ca.us>; Bohn, Rex <RBohn@co.humboldt.ca.us>; Bushnell, Michelle <mbushnell@co.humboldt.ca.us>; Wilson, Mike <Mike.Wilson@co.humboldt.ca.us>; Arroyo, Natalie <narroyo@co.humboldt.ca.us>; Madrone, Steve <smadrone@co.humboldt.ca.us>

1 attachment (31 KB)

Annotated bibliography and References List - Criminalization of Homelessness.docx;

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Dear Humboldt County Board of Supervisors,

My name is Amy Scott, a second-year MSW student at CalPoly and longtime community member. I'm writing to address what I mentioned in today's meeting, and will be recycling quite a bit of material that I shared with the City of Eureka last spring in collaboration with a number of other social workers and first responders who work directly with the communities that this ordinance is attempting to address, as such, I use the pronoun "we" as it is collectively sourced information.

We don't just oppose this ordinance because our personal values recognize criminalizing homelessness as morally wrong, but also because there is substantial research specifically demonstrating that the cause of homelessness is not personal choice, but policy choice. We are also aware of official's objection to calling this bill "criminalizing" homelessness, but per our research, all legal organizations directly state this escalation of punishment is, in fact, criminalization. It is our position that housing is a basic human right and that policy should reflect the substantial research-based evidence that clearly and unequivocally demonstrates the criminalization of homelessness as not only cruel, but also ineffective, expensive, and unable to address the root cause of homelessness - a lack of affordable housing. The proposed ordinance would contribute to an often closed-loop cycle of poverty, incarceration, and homelessness, while simultaneously doing nothing to address this root cause, or mitigate the contributing social and individual factors influencing homelessness.

Legal scholars in the Department of Justice, the [US Interagency Council on Homelessness](#), and the National Homelessness Law Center have all published evidence-based policy recommendations for cities struggling with homelessness, and each has a strong stance against these kinds of ordinances that criminalize individuals basic human needs without providing adequate (or in some cases, any at all) resources to address meeting those needs. While addressing housing shortage will take significant time and funding (and we will speak to, with gratitude, the many efforts the city has made to this end), at the very least, these resources should include access to and maintenance of public restrooms and showers, trash receptacles and pick up, safe encampment and parking zones with strict policies limiting police involvement and prioritizing trauma-informed peer resources.

Outside of the legal world, organizations that directly inform our social work practice have all released policy and advocacy statements condemning the further criminalization of involuntary homelessness: [the National Association of Social Work](#), [American Medical Association](#), [American Psychological Association](#), National Alliance on Mental Illness, National Association for Rural Mental

Health, and [American Public Health Association](#) all specifically speak to the long-term detrimental effects of these cruel policies on individuals' mental and physical health, the disproportionate and inequitable demographics of homelessness as a manifestation of the systemic injustices and barriers marginalized communities still face throughout the US, and the exacerbation of those injustices by the well-documented negative effects of a criminal record.

In his presentation "[Cruelty, Blame, and Survival: Homelessness in the Age of Grants Pass](#)," legal scholar Clinical Professor Ron Hochbaum explains very explicitly that affordable housing is the solution to homelessness and that cities efforts to criminalize sleeping, sitting, and lying down are engaged in a "race to the bottom" with increasingly more punitive, ineffective, and expensive anti-homeless laws. We highly recommend watching this lecture, and have reached out to his law clinic at McGeorge Law School about potential consultations.

In speaking specifically about the cost inefficiency he states that in California, it costs \$110,000 to incarcerate a person for one year, not including the law enforcement response or the cost of the courts, but just to keep someone in prison and fed (additional research from CalMatters suggests this number is closer to \$133,000). On the other hand, to pay for permanent supportive housing under the housing first model, it is approximately \$25-35,000 per year (additional research suggests this could be closer to \$40,000). It simply doesn't make financial sense to pursue these policies and limit funds we could instead be allocating for expansion of these housing options. Another large financial concern to consider is the inevitable legal issues the city will face when unhoused communities band together to sue for violations to their civil rights as is [already happening](#) in San Francisco, San Jose, and throughout other California cities. The Grants Pass vs. Johnson's decision was extremely narrow, and [Justice Sotomayor](#) herself laid out in her scathing dissent very specific avenues for litigation to challenge these cruel policies.

As we continue to fight the encroaching authoritarian and vicious politics of the current national administration, it's important that we resist those same policies from appearing in seemingly innocuous ways in our local communities. Laws outlast staff members tenures (most of the Trump administration's current deportations are using a legal argument from 1798!) - while the Board may speak to unwavering support of the current Humboldt Sheriff's Office, you should understand the community is still reticent to accept that policing culture in the United States is somehow different from what we see reported on the news every single day. Relying on individual discretion is not just poor policy, but proven time and time again to provide pathways for discrimination and bias to take root.

Just as we, as social workers, must contend with our history (and current practices in some cases!) of siding with systems of oppression against marginalized communities - it was social workers who sent Indigenous youth to boarding schools, after all - the police and Council must also recognize that a fear-based response when approached by law enforcement is completely valid due to historical and current realities of police misconduct and abuse that disproportionately affects marginalized communities and are also categorically demonstrated by scholarly research.

That being said, it is abundantly clear that our current Board of Supervisors and staff members are dedicated and compassionate in their deep desire to alleviate suffering and serve our unhoused community members as best as they can; however, this kind of ordinance is severely misguided in those efforts.

In this time of increasing anti-education sentiment we hope to impress the value of these highly respected and renowned resources that we've shared in informing how the city chooses to make policy. As ACLU attorney [Beth Haroules said](#) in response to the Johnson decision, "We cannot arrest our way out of poverty. Instead of arresting or fining people for simply existing, cities should prioritize proven solutions to end homelessness, like affordable housing, accessible and voluntary services, and eviction protections."

We want to continue to stress that supportive, Housing First modeled affordable housing, is really the only evidence-based solution to homelessness. Unfortunately, only a fraction of the affordable housing units needed currently exists. Even more unfortunate is that this need is growing every day, and not

because of the moral failings or personal choices of individuals, rather, an intentional disinvestment in public services and utilities that has been ballooning for decades. This, combined with stagnant wages and ever increasing costs of living means that more and more community members are facing the hardships that can and do lead to homelessness.

Again, homelessness IS a choice - but it's a policy choice, not a personal one. We are encouraging Humboldt County to be a guiding light in its response to the homelessness crisis - the MIST program, as the Sheriff has referenced, is absolutely best practices and we've come such a long way in how we respond to mental health crises! Let the results of many years of hard labor come to fruition and then continue to invest in solutions that are proven to work, and not just ones that ultimately cause more harm to our fellow citizens and attempt to sweep them out of sight.

Sincerely,

Amy Scott, MSW candidate 2026

Attaching the full reference list -

Annotated Bibliography

This brief list is focused on more accessible articles from national organizations - including position statements, policy briefs, with some legal documents thrown in for fun. The much longer reference list follows.

The ["Criminalization of Homelessness and Poverty Post-Grants Pass Is Still Unlawful and Ineffective at Reducing Homelessness" by the American Bar Association](#) is an article that thoroughly addresses the Grants Pass decision, its flaws, the most current research regarding the causes of homelessness, and effective ways cities can actually address the problems they're facing. Their conclusion attacks the party line that this is merely "a tool in the toolbox": "Ultimately, however, we need to disentangle homelessness from the criminal legal system. It is not, as the City of Grants Pass argued, just another "tool in the toolbox." We need housing, not handcuffs. We cannot solve homelessness through the use of law enforcement and prisons. Otherwise, our communities will continue to invest taxpayer dollars in an approach proven to make this situation worse instead of everything we know can make a meaningful difference."

["Collaborate, Don't Criminalize: How Communities Can Effectively and Humanely Address Homelessness"](#) by Jeff Olivet, the former director of the United States Interagency Council on Homelessness. A position statement explaining how the efforts of cities to criminalize homelessness are not only ineffective, inefficient, and harmful to individuals already experiencing persistent struggles, but that they are drastically more expensive than the actual solutions that are proven to work. He says, "blaming, criminalizing, and moving people from streets to jails does not solve homelessness or fix the systems that created it," and then offers proven solutions and actions cities can take instead.

[USICH Releases New Encampment Guidance for Communities | United States Interagency Council on Homelessness](#) Additional article by Jeff Olivet posted while the Supreme Court was making its decision, "Homelessness is a policy choice. When local leaders have a choice between passing bans on sleeping in public or investing in housing and services that help people move off streets and into homes, the choice is clear: Housing and support—not handcuffs—solves homelessness."

[Housing Not Handcuffs](#) this is a great "one pager" fact sheet from the National Law Center on Homelessness & Poverty. Quick and dirty, straight to the points.

[HOUSING NOT HANDCUFFS](#) This is the long form version of ^ that two pager. It was published in 2019 so doesn't reflect the reality of a post-Johnson landscape, but the essence of the argument has not changed for 15 years. Housing, not handcuffs.

[Department of Justice](#): This is a brief summary of the [“Statement of Interest”](#) (a really good read) filed by the Department of Justice for the Martin v. Boise case. Yes, the conservative faction of the Supreme Court did preclude the use of the eighth amendment, but they did so on an extremely narrow basis, which is much more effectively explained in the aforementioned American Bar Association article. This Statement of Interest lays out all of the facts clearly, and the groundwork for the legal argument.

[The Unavoidable Consequences of Homelessness](#) Sara Rankin and Laura Riley, law students, phenomenal discussion of the Grants Pass v Johnson case: “This Article surveys the contexts leading to the Johnson case, analyzes the decision itself, and assesses its impacts on the future of homelessness and homeless rights advocacy. Ultimately, it argues that punishing an unhoused person for the “unavoidable consequences of being human” is such a pinnacle of cruelty that no civilized society should pursue or accept it. Instead, American governments and the general public should embrace proven, nonpunitive solutions to homelessness.”

[Amicus Brief by the Lawyers Committee for Civil Rights, the Center on Budget and Policy Priorities, and The National Low Income Housing Coalition](#)

“The studies are clear: homelessness and the hardship experienced by unhoused people derive from the structural failings of government and the market to produce sufficient housing that meets the needs of this country’s most marginalized residents.”

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[Indirect Criminalisation of Homelessness: Justice Sotomayor’s dissenting opinion in City of Grants Pass v. Johnson | OHRH](#) - A Oxford Human Rights Hub Brief by Wandile Brian Zondo summarizing and explaining Justice Sotomayor’s scathing dissenting minority opinion.

[The US Supreme Court’s ‘Grants Pass’ Decision: A Reflection of Broader Problems with Affordable Housing | OHRH](#) - Oxford Human Rights Hub, Rigel Oliveri also addressed the case, but specifically the issue with affordable housing as it pertains to homelessness and the supreme court decision.

[Bloomberg School of Public Health @ Johns Hopkins](#) This is a great, but fairly dry, judicial health note to identify the health and equity impacts of criminalizing public camping for people experiencing homelessness and its consequences. The findings are listed very clearly, and very damningly. Of note: “Encampment sweeps do not necessarily promote neighborhood safety, security, and public health. Policymakers have touted encampment sweeps as an effective policy to reduce neighborhood crime, but several studies examining associations between sweeps and crime incidents revealed modest to no discernible effects and, in some cases, decreases to neighborhood safety.”

[Policymakers Can Solve Homelessness by Scaling Up Proven Solutions: Rental Assistance and Supportive Services](#) This is from the national think tank the Center on Budget and Policy Priorities. We’ve been connected to their CA housing policy director by the lawyer from the McGeorge law clinic for additional consultation. This article is really long, but if you’re looking for actual solutions - this is where they’re at!

Also attaching a PDF of this book [“Homelessness Is a Housing Problem”](#) (thanks calpoly!) - obviously it’s not possible to read this prior to the decision being made on this bill, but for further deepdives, it’s really well-written and gives such great context for the crises we’re facing with homelessness across the entire US. They do a dozen different regression analyses to address common myths and hypotheses about homelessness and really help break it down!

The audiobook is available on Spotify. And so are a number of interviews with the authors on different podcasts - and this one is the best I’ve found!! [Spotify link: Pitchfork Economics Podcast: Homelessness](#)

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