



KCRHA
King County Regional Homelessness Authority

Criminalization of Homelessness

The Victimization of People Currently Experiencing Homelessness



Welcome WA-500 Continuum of Care Members!

RUBY TUESDAY ROMERO (She/ They)

Member, CoC Board/Advisory Committee;

Co-Chair, System Performance Committee





CoC Role in Decriminalization

NOFO Application for federal funding

Section 1d-4: Strategies to Prevent Criminalization of Homelessness.

Promote human-centered practices and partnerships with a Housing First approach instead of further displacement or the criminalization of our unhoused neighbors.



How are People Currently Experiencing Homelessness Targeted through Policy?





'Acts of Living' Laws

48 States have at least one law restricting behaviors that prohibit or restrict conduct of people experiencing homelessness.



Types of 'Acts of Living' Laws:

No Safe Place 2014. National Law Center on
Homelessness & Poverty.



Sleeping: Camping bans/ specific restrictions in order to comply, sweeps



Sitting: Anti homeless architecture, no loitering, parks closed after specific time



Panhandling: State wide bans, no soliciting signs.



Eating: Groups have to pay for a permit to feed the homeless



'Acts of Living' Human Rights Violations (Nationally)

- 6 states have laws **restricting panhandling in public state-wide**
- 24 states have laws **restricting panhandling in particular public places**
- 7 states have laws **restricting panhandling in particular ways**
- 36 states have laws **restricting pedestrians from standing in roadways**

- 4 states have laws **restricting camping in public state-wide**
- 15 states have laws **restricting camping in particular public places**
- 1 state has a law **restricting sleeping in public state-wide**
- 3 states have laws **restricting sleeping in particular public places**
- 6 states have laws **restricting sitting and lying down in particular public places**
- 4 states have laws **restricting lodging, living, or sleeping in vehicles)**
- 16 states have laws **restricting loitering, loafing, and vagrancy state-wide**
- 24 states have laws **restricting loitering, loafing, and vagrancy in particular public places**





King County's Landscape:

Camping Bans

- Mercer Island imposed a camping ban in 2021. Burien used the language from Mercer Island as the model for their camping ban.
- Burien approved a camping ban while delaying decisions on a location to build a tiny home village.
- City of Kent passed a camping ban.

Zoning & Location Restrictions

- Des Moines City Council passed zoning code restricting where shelters can be.
- Federal Way denied an application for an overnight shelter.
- Finding a location for new shelter and housing is consistently difficult.



[Burien encampment deadline passes — questions over legality and shelter remain.](#)
Patrick, Anna. June 2023. The Seattle Times.

[Despite State Law, South King County Cities limit homeless shelters.](#) Kim, Greg.
Aug 2023. The Seattle Times.



City of Seattle's Landscape:

12A.08.030 - Reckless burning

11.72.440 - Parking Enforcement; Seventy-two (72) hours.

No person shall park a vehicle on any street or other municipal property for a period of time longer than seventy-two (72) hours, unless an official posted sign provides a shorter period of time, or unless otherwise provided by law.

12A.12.015 - Pedestrian interference

A person is guilty of pedestrian interference if, in a public place, he or she intentionally:

1. Obstructs pedestrian or vehicular traffic; or
2. Aggressively begs.

12A.12.020 - Failure to disperse

A person is guilty of failure to disperse if:

1. He congregates with a group of four or more other persons and there are acts of conduct within that group which create a substantial risk of causing injury to any person or substantial harm to property; and
2. He refuses or intentionally fails to obey a public safety order to move, disperse or refrain from specified activities in the immediate vicinity.

15.48.040 - Sitting or lying down on public sidewalks in downtown and neighborhood commercial zones.

18.12.255 - Liquor offenses

It is unlawful in a park to consume, or to possess an open container holding, or to open a container holding liquor as defined in [Section 12A.24.010](#) except pursuant to permits respectively issued by the Superintendent and the Washington State Liquor and Cannabis Board or its successor. Conduct made unlawful by this [Section 18.12.255](#) shall constitute a class 3 infraction punishable under chapter 7.80 RCW.

18.12.245 - General park operating hours—Four a.m. through Eleven-thirty p.m.

General park operating hours shall be between four (4:00) a.m. and eleven-thirty (11:30) p.m. Individual parks, unless provided otherwise pursuant to this section, shall not be open to the public between eleven-thirty (11:30) p.m. and four (4:00) a.m.

18.12.250 - Camping.

It is unlawful to camp in any park except at places set aside and posted for such purposes by the Superintendent.





Why is Criminalizing Homeless People the Wrong Solution?

It doesn't solve anything.





....unconstitutional.

Sweeps Violate the 4th, 8th and 14th Amendments of the Constitution.

Martin v. Boise, 920 F.3d 584 (9th Cir. 2018)

Levan v. City of Los Angeles, 693 F.3d 1022 (9th Cir. 2012)

Smith v. Corvallis, No. 6:14-cv-01382-MC, LEXIS 73205 (D. Or. June 6, 2016)

....doesn't solve the root causes .

Evictions, Rent/Cost of Living Increase, Economic Landscape, Lack of Affordable Units and Diminished Housing Stock...

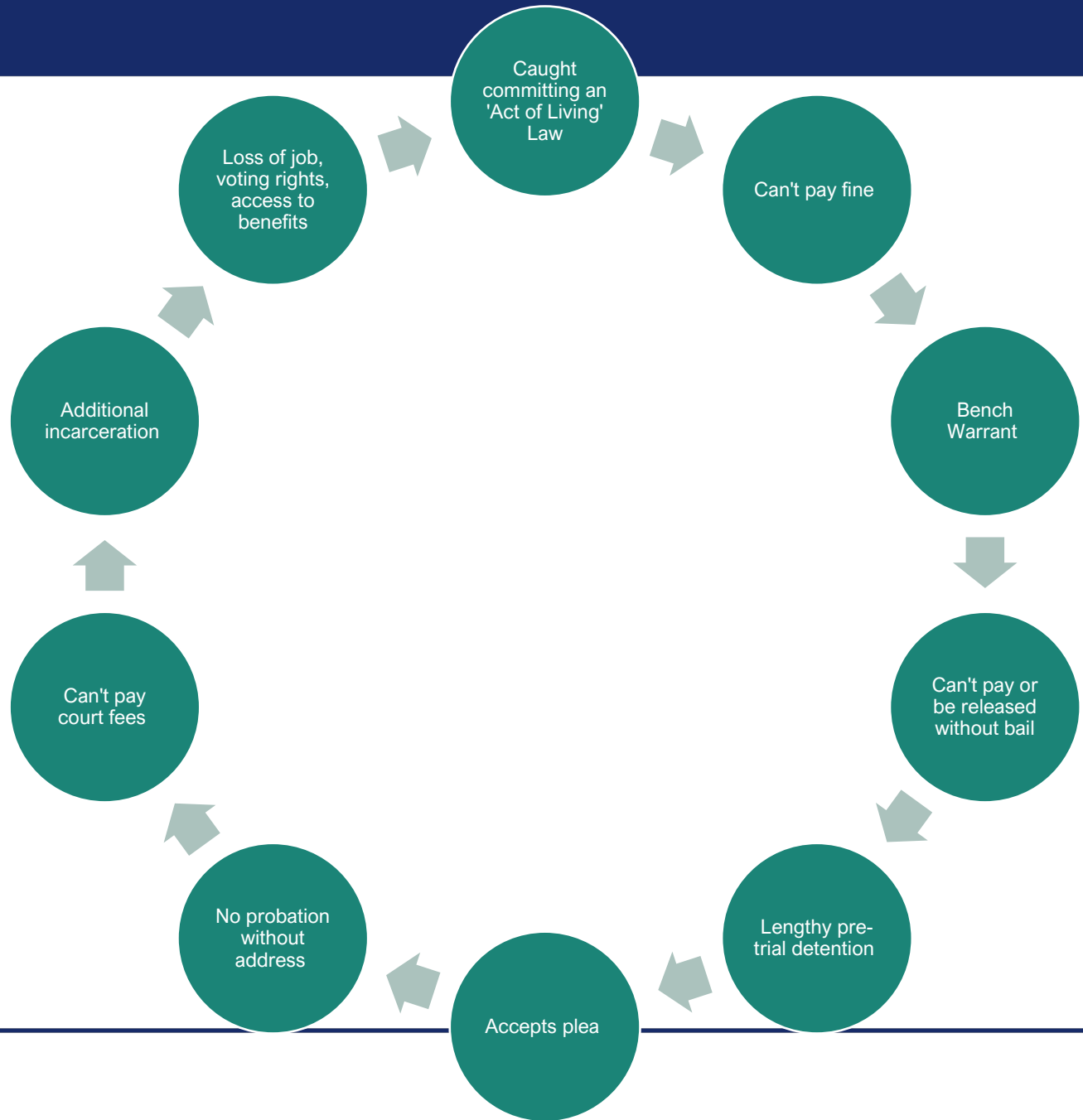
The effects of Colonialism, Systemic Discrimination, and Racist Zoning Practices like redlining have plagued BIPOC communities, low income households, and rural municipalities in for decades.

....worsens homelessness.

Forces people to



Journey Through the 'Justice' System:





What are the alternatives to criminalizing people experiencing homelessness?

And what alternatives are we using within our CoC in King County?





Homeless 'Bill of Rights'





'Bill of Rights' advocates for People Currently Experiencing Homelessness to have Equal Rights to...



medical care



free speech



free movement



voting



opportunities for employment



privacy





KCRHA's Housing First Approach

What Is Housing First? = Housing + Services

No matter who we are, where we come from, or what we look like every person deserves a safe and stable place to live. Housing First, which is actually “Housing + Services,” is a proven, evidence-based best practice. Housing First recognizes that housing, and the security and stability it offers, is the necessary first step to addressing other medical, mental health, or substance use issues a person may be facing, and supports employment, education, and other efforts towards self-sufficiency.

Housing First is not housing only.

Voluntary supportive services are always available.



Right of Way (ROW) Initiative

- State initiative limited to individuals on State-owned rights of way:
 - “a targeted grant program to transition persons residing in encampments to safer housing opportunities, with an emphasis on ensuring individuals living unsheltered reach permanent housing solutions”
- KCRHA award was \$49.2 million in first year,
 - \$19 million to acquire new construction housing
 - \$12 million emergency housing (leased hotel)
 - \$17 million for other permanent housing (master-leased units) and administration
- \$16.6 million ongoing funding to maintain permanent housing placements
- 320+ people have moved inside from 10 encampments





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