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## Backers of California homeless camp ban cite 'successful' San Diego law. But is it?

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East Bay Express Homeless Camp in the Bay Area. Photo by Thomas Hawk via Flickr.com.

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By Marisa Kendall, originally published by [CalMatters](#) with funding from A-Mark Foundation.

Politicians pushing to make homeless encampments illegal across wide swaths of California point to one city as proof it will work.

"San Diego gets it," [Senate Republican Leader Brian Jones](#) said during a recent press conference. "They are having great success so far with their ordinance, and we hope we can take that success across the state."

[Jones' proposal](#), [Senate Bill 1011](#), is modeled after a controversial new San Diego ordinance that bans encampments near schools, shelters and transit hubs, in parks, and even, if shelter beds are available, on all public sidewalks.

But how well is [San Diego's "Unsafe Camping Ordinance"](#) really working?

While encampments are much less noticeable in some areas — such as downtown, in the city's main park, and around certain schools — they're just as prevalent, if not more so, near freeways and along the banks of the San Diego River.

The city's homeless shelters are full, often with no beds for people who want to avoid a citation. There's no evidence the city's overall homeless population has decreased in the eight months since enforcement started.

Still, Jones is banking on the fact that Californians are fed up with the state's current approach. Despite Gov. Gavin Newsom's administration spending an unprecedented \$24 billion on housing and homelessness over the last five years, encampments are rampant throughout the state.

"We simply cannot continue allowing people to live in or around our schools, transit stations and open spaces," Jones said. "This is a public health and public safety crisis. It's inhumane and it's unhealthy for our state to continue looking the other way."

Jones' bill would make camping within 500 feet of a school, open space or major transit stop a misdemeanor or infraction, no matter what. Additionally, it would ban camping on a street or sidewalk if a homeless shelter is available.

A similar bill authored by Jones [died an early death last year](#). San Diego's ban hit a tidal wave of opposition from the get-go, and barely passed with a 5-4 City Council vote. Enforcement began July 31.

This year, Jones, who represents San Diego and has secured three Democratic co-authors, is leaning heavily on favorable outcomes in San Diego to get his bill over the finish line. It's scheduled for its first committee hearing this month.

But the part San Diego Mayor Todd Gloria is most proud of — [opening two giant tent campsites](#) where people can sleep legally — isn't replicated in Jones' bill. Cities wouldn't be required to come up with places for people to go.

### Is San Diego's encampment ordinance working?

Drive through San Diego, and you'll see plenty of "no camping" signs with a black-and-white tent in a crossed-out red circle. On a recent early, Friday morning shift, Sgt. Gary Gonzales with the San Diego Police Department's Neighborhood Policing Division pointed out areas where encampments once stood.

"You had tents this whole sidewalk, all through here," he said, gesturing to a block of 16th Street outside a homeless shelter. "It just took

over the sidewalks.”

But evidence of the city's homelessness crisis hasn't vanished. As dawn broke, two people stood in Balboa Park around a shopping cart piled with bags. A man seemingly carrying all his belongings rummaged through a trash can on Market Street. Another pushed a shopping cart full of bedding. Police don't enforce the camping ban at night, so many people try to get off the sidewalk by daybreak.

For Rick Rocha, a 46-year-old former real estate agent who takes great pains to avoid appearing homeless, that means rolling up his green sleeping bag every morning and stowing it in a free locker operated by a local nonprofit. Even so, it's hard to find anywhere in the city he can just be. He tried to make himself a sandwich while sitting on a park bench and got told to leave. Staff follow him when he goes to the grocery store.

“It wears you down,” he said. “There's a little bit of resentment like, ‘Dude, I'm really not doing anything.’”

By one narrow metric, the ordinance has been a clear success. The number of unhoused people downtown has been cut in half: from a high of 2,104 in May 2023 to 1,063 in February, according to the [Downtown San Diego Partnership's monthly census](#).

“As I go about the city, it looks better than it did six months ago,” said Gloria. “And we're not done yet.”

Where did those encampments go? Gloria doesn't know. But tents line San Diego's highway on- and off-ramps, where the city can't enforce its ban because Caltrans owns the land. The number of unhoused people camped along the San Diego River has doubled, according to an outreach worker who monitors the river for nonprofit services provider PATH.

Camping near freeways puts people in danger of being hit by cars zooming past (and at the mercy of occasional sweeps by Caltrans), while the riverbed exposes them to flooding that can wash away their camps, possessions, and even their lives. Outreach workers say kicking people out of encampments forces them farther from services they rely on, such as medical care, food and housing assistance.

Some people in San Diego's suburbs complain the city's camping ban has pushed its unhoused residents across their borders. Homelessness in La Mesa, which is 20 minutes inland from downtown San Diego and has no homeless shelters, is “out of control,” said Vice Mayor Laura Lothian.

San Diego boutique owner Tami Ratliffe, said she hasn't seen conditions improve under the ordinance. She lives behind a canyon in the city's Mission Hills neighborhood where unhoused people camp. The area has seen multiple fires, she said.

“None of us want to treat these people as anything less than human, but it's affecting our lives and businesses,” she said. She co-founded a popular restaurant downtown, but sold her stake as the city's street homelessness and mental health crisis intensified. She said she'd never open another business there now, opting instead to recently open her Mission Hills boutique. But she's had issues with encampments there too.

As unhoused people face the threat of arrest for camping outside, more people in San Diego are seeking shelter beds, said Sofia Cardenas, data and compliance manager for the Alpha Project, which operates multiple shelters.

Mayor Gloria says that indicates the ordinance is working.

“People are accepting the shelter, and that's a very good thing,” he said. Between August 2023 and February 2024, police placed 657 people in shelters or safe sleeping sites.

But that doesn't change the fact that most people who want shelter don't get it. Of the 1,626 [referrals for shelter beds](#) made in February, only 17% resulted in someone getting a bed, according to the San Diego Housing Commission.

“Overall, the purpose of an ordinance like this is to compel people into services,” Cardenas said. “The challenge is, those services have to be readily available...Without those interventions available, it's kind of preemptive to pass such a law.”

The city doesn't have data on where people went after they were removed from downtown encampments, or on the change in the total number of unhoused people in the city. Like other cities across the state, San Diego participated in the [point-in-time count](#) in January, but those results — imprecise estimates — aren't yet available.

So far, much of the evidence of the success or failure of the new ordinance is anecdotal.

“I don't have enough information to know that it's working,” said San Diego City Council President Sean Elo-Rivera, who voted against it.

That leaves state lawmakers with few concrete data points to reference as they push their bill.

### Safe Sleeping sites provide somewhere to go

The major flaw Gloria sees in the statewide proposal. It doesn't require cities to set up shelters or safe camping areas. “Simply saying ‘you can't go here’ is only doing half the job,” he said. “You have to point to where folks can go.”

Jones hopes cities take it upon themselves to set up those facilities. But he's not about to require it. “One of the things we're trying to avoid with my bill is having unfunded mandates on the localities,” he told CalMatters.

In June, the month before police began enforcing the camping ban, San Diego had 1,784 city-funded shelter beds, [according to a city memo](#). That was nowhere near enough for the estimated 6,500 unhoused people [counted in 2023](#).

San Diego's solution? Two “safe sleeping” sites, where as many as about 500 people can sleep in matching red tents, spaced about a foot apart, on empty dirt lots tucked away in an out-of-sight corner of Balboa Park. Residents have portable toilets, showers, laundry and trash pickup. Staff is there 24/7. The largest of the two sites cost the city about \$450,000 to stand up and about \$8.2 million per year to run. The cost per bed per night is \$56.

There's a lot riding on whether these sites succeed, and not just for San Diego. In the absence of available affordable housing and shelter beds, other California cities are eyeing sanctioned encampments. San Diego's — the largest in the country, according to Kyle Rodenbo, program coordinator for the city's Homeless Strategies & Solutions Department — have quickly become an example. Officials from San Jose toured the sites and Mayor Matt Mahan said he's [considering opening something similar](#) in his city.

“We're able to move someone from a seemingly unsafe location on the sidewalk, where they may feel their personal safety is

continuously in jeopardy," said Josh Coyne, vice president of policy and civic engagement for Downtown San Diego Partnership, which manages part of the program. "We're able to provide them a consistent location where they don't need to move."

The bright red tents are about 6 feet tall and can accommodate two cots. Originally designed for ice fishing, the tents are supposed to be able to weather the elements. But residents complain they get extremely cold at night and leak when it rains, something the city has tried to mitigate by covering them with tarps. Because the tents are open at the bottom, residents say rats can get in — and so can human intruders, even if the zippered tent door is locked.

"It's been terrible," said resident Norreol Hawkins.

As of late March, 36 people living at the safe sleeping sites had either moved into permanent housing or were scheduled to do so soon. Four had died.

One of those who recently found housing is 37-year-old Honda Fimbres, who had been living in a car with her girlfriend before moving into a safe sleeping site.

"In the car is pretty tight," she said. "I couldn't stretch out...My back is messed up. I started to toss and turn. It was pretty hard."

Now? Fimbres and her girlfriend recently moved into a studio apartment on Market Street, where their rent is paid for the first year.

"I'm good," she said, with a smile.

### San Diego's ordinance leads to few arrests

Judging by controversy San Diego's new ordinance has generated, you might not guess that, in reality, it's still not being used that much. As of March 10, police reported conducting 324 interviews with homeless residents, issuing 47 citations and making six arrests.

That doesn't mean the ordinance isn't working, said Gonzales, with the San Diego Police Department.

"Enforcement's going to be our last option," Gonzales said. "That's not what we're here for, is to take people to jail for violations."

Only two people so far have been prosecuted under the new law — meaning dozens who could have been charged were not.

City Attorney Mara Elliott said sometimes the person instead is prosecuted for a larger crime, such as selling drugs. Her office has sent 36 unsafe camping cases back to the police department for additional information.

While this ordinance is new, citing and arresting unhoused people in San Diego is not. As is in many cities, San Diego police already could penalize unhoused people for violations including "encroachment," an ordinance used much more often than unsafe camping. Since the *new* ordinance took effect at the end of July, San Diego Police made 61 arrests under the old encroachment ordinance — about 10 times as many — and issued 584 citations. Of those, 44 cases led to prosecution.

"Which begs the question: What was the purpose of creating this new ordinance?" said Michelle Woodson, an attorney and executive director of homeless services nonprofit Think Dignity.

When asked why a new ordinance was needed, several supporters were vague in their responses, calling it another tool in the city's tool box.

California cities already have more than 800 laws on their books criminalizing behaviors typically exhibited by unhoused people, such as sitting, resting or sleeping in public, or panhandling, according to the Western Regional Advocacy Project.

Potentially complicating enforcement in San Diego and statewide, the Supreme Court will hear oral arguments this month in a case that questions cities' authority to punish people for sleeping outside if they have no other option.

A school principal and an unhoused man weigh in

At Perkins K-8 school off San Diego's Main Street, the new ordinance has been a game-changer. For years, tents lined nearby sidewalks, forcing students to walk in the street to get to school, said principal Fernando Hernandez. At one point, there were more than a dozen tents across the street, and occupants used drugs, threw bottles of urine onto school property and openly defecated, Hernandez said. In desperation, he once used the auditorium's sound system to blast kindergarten music all night, hoping to drive people away.

That didn't work. But the new ordinance did.

"It's not perfect, but it's a whole lot better around the school than it used to be," he said.

But some unhoused San Diegans say all the city's camping prohibitions have done is make it harder for them to get back on their feet.

Dullanni Waterman said he has been homeless since 2014, when his partner died, he lost his job, and his life spiraled. Waterman, 45, initially slept on the street downtown. About eight years ago, he moved to the bank of the San Diego River to avoid police and other homeless residents. Now, he lives in a brown tent pitched in a small clearing.

Waterman works for a medical lab processing blood and urine specimens, but it's hard to stay employed when the way you live is illegal. If he knows a sweep is coming, he has to choose between going to work and staying to salvage his possessions.

He said that missing work to pack up his camp has cost him jobs in the past, and that he's been cited more than 20 times for violating the city's multiple anti-camping ordinances and arrested several times.

Once, a brief jail stint almost cost him one of his most treasured possessions — an old, curly-haired terrier that belonged to his late partner. The friendly little dog, Neigi, was sent to the pound. To get him out cost \$200, money Waterman didn't have. A church stepped in at the last minute to help him raise the funds.

"It's been a struggle," Waterman said. "It's been definitely, definitely hard."

But after more than a year of trying, Waterman's current partner recently landed a spot in a permanent supportive housing project that's under construction. When it's completed, Waterman has the OK to move in, too.

The San Diego River is a stop of last resort for many unhoused people such as Waterman. It's where they go after one too many strokes of bad luck — maybe they were kicked out of another encampment or the vehicle they were living in was towed.

Even though camping along the river is illegal under the new ordinance, more people live there now, said Kendall Burdett, an outreach worker with the nonprofit PATH.

"Overall, it's doubled," he said.

The vibe on the river has changed too, as people live under threat of punishment. A citation adds one more obstacle to the already difficult road of finding housing, and Burdett said more people are giving up on ever moving indoors.

"Here comes the encampment ban, and now it feels like one extra level of hopelessness," he said.

## Impacts on people's health

Experts who work with unhoused communities agree encampment sweeps harm the health of displaced residents, and [studies bear that out](#). People often lose their belongings — including medicine or tarps that protect them from the elements — and lose touch with service providers.

The [death rate in homeless communities](#) is already rising. Increasing enforcement could have fatal consequences, said Ashley Meehan, who leads the Homeless Mortality Working Group for the National Healthcare for the Homeless Council.

"I'm just really concerned that that will really just escalate this to a scale that we're not even ready for," she said. "And we don't really have the data systems to be tracking the outcomes of these actions."

San Diego's enforcement has made life harder for street medicine workers. Recently, outreach worker Tuesday Moon got a call from a client with persistent back pain. He told her he had moved to a new encampment in a grassy median by an I-5 on-ramp. Moon and her team, which includes a physician and two medical assistants from nonprofit Father Joe's Villages, set off to find him.

When they arrived, they stumbled upon several people they knew from other camps. One man they had treated earlier in the week for leg pain at a camp half a mile away hadn't been able to fill his prescription. A woman the team last saw several blocks south now had a stomach rash and wasn't taking her diabetes medication.

Because people move so frequently and may not have working phones, the street medicine team often has no idea who they'll run into at each camp. That unpredictability makes it difficult to offer crucial follow-up care, which is essential because clients make scheduled clinic appointments just half the time.

"It is harder," said Dr. Elizabeth Sophy. "It just takes a little bit of extra time and energy to figure out where people are."

After writing a few prescriptions, booking follow-up clinic appointments and handing out granola bars, fig Newtons and bottles of water, the team got ready to leave. As they headed to their van, they passed a notice stapled to a tree: Caltrans planned to remove the camp in three days.

"We'll catch them on the flipside," Moon said.

## An early-morning homeless encampment sweep

People streamed down San Diego's 17th Street in a weary, early morning parade, past the neon-green signs warning that the camp was about to be removed. Some dragged tents or pulled wagons laden with bags and boxes. One couple wrangled a pitbull. A man stacked boxes onto a skateboard and tried to push everything down the street, only to have the skateboard fly out and topple the pile.

City contractors in yellow vests and hard hats followed behind, carrying trash cans, brooms and rakes.

"We're going to go back as soon as they're done spraying," Marla Rose, who declined to give her last name, said as she packed up her tent. "This is what we do every three days."

Between August 2023 and the end of January 2024, the city removed nearly 3,000 encampments (the city's data doesn't specify how many of those were cleared using the new ordinance).

Marla Rose has experienced both prongs of the city's homelessness response — services and enforcement — and still ended up back on the street. She recently spent a week in a shelter, but left because she felt unsafe crowded in among strangers. She's also received two citations for having a tent on the sidewalk, and even briefly went to jail.

Later that morning, you didn't have to go far to see where people kicked out of that encampment had ended up. One block away, Brandi James sat hunched on the corner of 17th and J streets, surrounded by her worldly possessions. In three years on the street, James said she's been given "countless" tickets.

So far, her attempts to get into a safe sleeping site had failed.

"Everywhere we go, they move us out," she said. "And we try to go to the shelter, and they don't have any room. We wait for the (Homeless Outreach) Team and they never show up. It's just like, where do we go?"

Tears began to fall. She pulled the bill of her black baseball cap down to cover her face.

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