

FACTS ABOUT THE HOMELESS ENCAMPMENT OUTSIDE OF THE VA

Who has jurisdiction over that portion of the sidewalk?

The sidewalk on the east side of San Vicente Blvd outside of the VA, which is Federal land, is under the jurisdiction of the County of Los Angeles. The City of Los Angeles does not have jurisdiction until the middle of the street.

Why has the VA not moved all of the tents and residents of the tents onto VA property?

The VA provides services only for Veterans (honorably discharged). While the VA goes outside the fence regularly and offers services to Vets and speaks with those camping on the sidewalk, the VA cannot force anyone to leave the sidewalk. Data from the VA shows that as of May 7, 2021, there were 38 Vets residing on the sidewalk.

Where did the tents come from that now line the sidewalk?

The organization [Judicial Watch](#) provided the tents to those living on the street outside of the VA.

Isn't there an ordinance prohibiting camping on sidewalks?

While there is a City of Los Angeles ordinance that does not allow 24/7 camping on the sidewalk, the County does not prohibit camping on County property. When asked, Supervisor Kuehl's representative stated that Supervisor Kuehl is opposed to a no camping rule since it would criminalize homelessness. The City of Los Angeles is, generally speaking, not enforcing its anti-camping ordinance. Also, CDC advice during COVID has been to not disperse encampments.

Is it legal to block access on sidewalks?

The current encampment makes the sidewalk impassable, which is not compliant with ADA (American with Disabilities Act). The Sheriff's Department, which has jurisdiction of this area, is working to keep the sidewalk passable and also working with LAPD to make sure the furthest lane on the east side of Bringham remains clear of debris, people and bulky items.

What should I do if I see illegal activity such as drug deals or assault?

If you witness any kind of illegal activity, please report it as you witness it to 911. In addition, port-a-potties are now in the area, so no one should be illegally defecating in the streets or on the sidewalks. You may also report any illegal activity to the Sheriff's West Hollywood Station at (310) 855-8850 or the Police at (800) ASK-LAPD. Sheriff Daniel Nagelmann is our contact for matters relating to the encampment; his email address is denagelm@lasd.org. Officer Matt Kirk is our SLO with the LAPD and his email is 34713@lapd.online.

Isn't this encampment a health hazard?

In the past, the City and County conducted clean ups of the sidewalk to address the issue of health hazards. Those living on the streets were free to return to the encampment following the cleanup, once the streets and sidewalks were cleaned by the Bureau of Sanitation. With the onset of COVID and CDC guidelines, enforcement of those laws was suspended.

Can't we clean up the trash?

Before COVID, the County would conduct clean ups two to three times a month. Since COVID, these clean ups have been suspended. Currently, the Department of Public Works picks up trash weekly from the dumpsters that have been placed at the Eisenhower gate and the trash cans along San Vicente. Additional pick-up of bulky items not associated with individuals in this encampment also happens, as needed.

What is Supervisor Kuehl doing?

Here is an update from Zachary Gaidzik, Supervisor Kuehl's Westside Field Deputy. Please feel free to reach out to him directly at ZGaidzik@bos.lacounty.gov.

Our office has led efforts to increase mental health services and housing for those who need it, and the expansion of community-based services and housing are at the heart of the County's Care First, Jail Last approach. Our office monitors this location and other encampments regularly. Over the last year, County leaders have adhered to CDC guidance and refrained from active disruption of encampments to prevent the spread of COVID19 while providing non-disruptive sanitation and outreach services. While the pandemic has added additional complexity to our efforts to reduce homelessness, outreach teams continue to link people to services and housing, and we know from years of experience that the most effective and long-lasting solutions to homelessness happen when outreach workers link individuals to services and housing. The County does not have the legal authority to compel people to accept services or housing unless they pose an immediate danger to themselves or others. This encampment is currently receiving intensive outreach services, and, as the pandemic subsides, we anticipate that we will be able to increase opportunities to move people into interim and permanent housing.

We appreciate and share your concerns with maintaining safe passage on the sidewalk for the public, and veterans alike, and are working towards solutions to address the access issues while adhering to the CDC guidance on encampments for the duration of the pandemic.

What is the Boise case I keep hearing about?

In September 2018, the case of Martin v. City of Boise was decided which held that the government is prohibited from criminalizing homelessness and that cities must allow individuals to sleep on public property when there is no shelter available to them.

Why are the homeless allowed to live on our streets and other public spaces?

Homeless people have the same constitutional rights as anyone else. However, there are limits to these rights. These limits are generally defined by (1) the limits of criminal behavior, public health and safety and (2) the ability of government agencies to effectively enforce these laws.] Under our current public policy, there are no requirements that the homeless solve their issues by exercising these rights or a government entity to exercise it for them. They do not have to seek family help, healthcare or social services for mental illness, addiction or sickness. They do

not have to seek shelter, legal aid or employment skills for other issues. A good percentage are simply unable to take advantage of the services available but would with trusted assistance. This burden falls on the community. We are at a point that homeless have to be convinced by a caseworker that such services would improve their health and/or quality of life.

What are other communities doing?

Thousand Oaks, like all cities in California, Oregon, Washington, Hawaii, Arizona, Idaho, Nevada, and Montana, must comply with the Boise case. The Boise court stated: "We in no way dictate to the City that it must . . . allow anyone who wishes to sit, lie, or sleep on the streets . . . at any time and at any place." In an effort to comply with the Boise decision and address the problem of camping on its streets, Thousand Oaks amended its camping ordinance to allow sleeping from 10pm to 6am on public property, but no camping is allowed. This means tents and property are not allowed on public property. Read more [here](#).

Resources

Brentwood Community Council Task Force on Homelessness

<https://brentwoodcommunitycouncil.org/homelessness/>

West LA Homeless

<https://www.wlah.org/who-we-are>

Los Angeles Homeless Services Authority

<https://www.lahsa.org/>

Review of Proposition HHH by LA Controller Ron Galperin

<https://lacontroller.org/audits-and-reports/high-cost-of-homeless-housing-hhh/>

Pacific Palisades Task Force on Homelessness

<https://www.pptfh.org/resources>

[West LA VA](#)

<https://westladraftmasterplan.org/news>

Headlines

Surge in Fires at Homeless Encampments

<https://www.latimes.com/california/story/2021-05-12/surge-in-fires-at-la-homeless-encampments-growing-crisis>

Veterans Row: Tent City Outside of VA

<https://www.lamag.com/citythinkblog/veterans-row-homeless-los-angeles/>

Ban on Homeless Camps Near City Shelters

<https://www.latimes.com/california/story/2020-10-23/councilman-buscaino-asks-for-a-ban-on-homeless-camps-near-city-shelters>

High Cost of Homeless Camps

<https://www.npr.org/2021/05/25/999969718/high-cost-of-los-angeles-homeless-camp-raises-eyebrows-and-questions>

Homeless in Southern California: ABC7

<https://abc7.com/venice-homeless-boardwalk-fires-shootings/10724596/>