



Grants Pass and City Priority Focus Area FAQ

Q: What is the Grants Pass v. Johnson Decision?

A: On June 28, 2024, the United States Supreme Court reversed the U.S. 9th Circuit Court of Appeals decision in the case of Johnson v. Grants Pass (9th Cir. 2022) 50 F.4th 787. This decision overturns the previous legal precedent set by the 9th Circuit in Martin v. Boise (9th Cir. 2019), which ruled that enforcement of ordinances restricting camping or sleeping in public spaces without first offering adequate, available shelter options constituted a violation of the U.S. Constitution's Eighth Amendment cruel and unusual punishment clause.

The Supreme Court decision provides municipalities the option to enforce generally applicable laws regulating camping on public property, without first being legally required to offer adequate shelter space within its jurisdiction.

Q: What are the impacts of the Grant's Pass v. Johnson Supreme Court decision?

A: While this ruling does not mandate any action by local jurisdictions nor provide additional resources or funding towards homelessness response, it does allow cities and other public agencies full discretion in enforcement of anti-camping ordinances. This is a narrow decision related to the Eighth Amendment to the U.S. Constitution. In addressing encampments, City staff are still required to follow case law related to unlawful searches and seizures under the Fourth Amendment of the U.S. Constitution.

Q: How will this Supreme Court decision affect the City's response to homelessness?

A: On August 12, 2024, the City of Long Beach released a [memo](#) detailing the City's response to the Grants Pass v. Johnson decision. The restored ability to enforce violations of the City's anti-camping ordinance will be incorporated as one option in the City's overall response to homelessness. The City of Long Beach remains committed to a human-centered approach, prioritizing proven long-term solutions, including meeting basic needs, providing supportive services, and providing immediate access to temporary and permanent housing to people experiencing homelessness. Though widespread issuance of citations or arrests solely for violations of the City's anti-camping ordinance will do little to reduce overall rates of homelessness and could create additional barriers for people to access housing and services, they also can be used as a tool to address locations where there is a threat to public health or safety and when other solutions are not working.

Q: What is a Priority Focus Area?

A: The City also remains committed to ensuring all residents of Long Beach have access to and use of crucial public resources. The additional enforcement mechanism will be incorporated into the City's interdepartmental approach to resolving encampments that pose significant and persistent obstruction to use of public resources prioritizing public spaces like parks, libraries, and beaches. Once identified, these Priority Focus Areas will be subject to an intensive interdepartmental engagement effort, including multiple days of outreach, credible offers of supportive services and shelter, clean-up protocols, and notification that the area needs to be vacated. Enforcement may be used as a means of dispersing encampments in priority focus areas if other outreach and service provision measures prove ineffective.

Q: How does the Priority Focus Area approach impact homelessness response in other parts of the City?

A: Encampment resolution activities in Priority Focus Areas are not intended to replace or diminish the City's homelessness response in other areas. The City will continue to follow the [Homeless Encampment and Public Space Cleanup Protocol](#) when addressing all encampments. For example, last year without any additional enforcement tools available, the City addressed 3,200 encampments citywide.

Q: How will the City of Long Beach identify Priority Focus Areas?

A: The City's Interdepartmental Team and Public Spaces Workgroup, including representatives from the Department of Health and Human Services, Homeless Services Bureau, Police Department, Parks, Recreation and Marine Department, Public Works, Fire Department, Library Services, and other relevant departments, will identify Priority Focus Areas. These Areas will be determined based on factors such as:

Encampment(s) that have previously received repeated outreach and offers of services and shelter.

- Encampment(s) causing significant and persistent obstruction of access or use of crucial, highly used public resources and space, such as parks, libraries and beach areas. Significant obstruction would result in the inability of the public to use a space or resource as intended.
- Encampment(s) taking up a significant amount of space relative to the overall space available.
- Priority problematic areas as identified by consistent community and Council Office input where other methods of outreach and services have not been effective.
- Activities or characteristics representing significant public health or safety concerns, including observed behaviors.
- Quantitative data, such as homeless services outreach and engagement data and other frontline service data.

Please note, due to the significant impact on staff, service resources, and funding needed for this approach, prioritization will need to occur, with the team focusing on the most problematic locations, prioritizing those where other solutions are not possible and have a high impact on either public resources or access to public space. If every location is a priority, no area is a priority, and the team will be ineffectual in its response.

Q: What is involved in resolving an Encampment in a Priority Focus Area?

A: The long-term solution to resolving an encampment involves outreach, connections to services, and temporary and permanent housing as much as possible. Upon identifying a Priority Focus Area, the City's Public Spaces Workgroup will develop a unique, tailored plan to address the specific encampment. This plan will involve concentrated outreach efforts by the Homeless Services Bureau and supported by Police, Fire, Parks and Library staff, including building trust and rapport, assessment and meeting of basic needs, offering emergency shelter and connection to case management for permanent housing solutions, and notification that the area needs to be vacated. The Team will assess if cleanups are required and follow all required protocols.

Enforcement of the City's anti-camping ordinance through misdemeanor citations may be used as a means of dispersing encampments in priority focus areas if other outreach and service provision measures prove ineffective.

Q: How will this Supreme Court ruling impact homelessness in Long Beach?

A: Recognizing the limitations of an overreliance on enforcement as a response to homelessness, City staff will continue to lead with a service-based approach, and intend to utilize enforcement of anti-camping ordinances as a tool to address particularly problematic areas where public use of public space is obstructed by encampments.

Enforcement of violations of the City's anti-camping ordinances may lead to misdemeanor convictions or infractions. These outcomes can often result in fines, which create further barriers to stability and housing. Repeat citations may also make it difficult to find employment and access critical services. While arrests for misdemeanor citations are unlikely to result in significant jail time, incarceration is not a solution to homelessness and can exacerbate the crisis. Issuing widespread citations would only move individuals around, strain city resources, and fail to address the root causes of homelessness.

Q: How will general enforcement of the City's anti-camping ordinance be conducted?

A: Enforcement of a violation of the City's anti-camping ordinance(s) may result in a misdemeanor conviction or infraction pursuant to LBMC Section 1.32.010 and 9.42.110(D), and is carried out by the Long Beach Police Department.

The primary mission of the Long Beach Police Department is to reduce crime and enhance safety in the City, and the recent Supreme Court ruling does not impact or change this mission. While violations of the anti-camping ordinance may lead to enforcement action, the Police Department remains committed to supporting solutions that address public safety and support the ongoing efforts to help individuals experiencing homelessness.

Police officers responding to calls for service will now have the discretion to enforce ordinances restricting camping or sleeping in public places. The Long Beach Police Department considers a variety of factors when taking discretionary enforcement for misdemeanor crimes, including but not limited to, associated criminal conduct, ongoing and chronic complaints. If additional crimes are discovered during police responses to violations of the City's camping ordinance, this will be addressed through arrests or citations in accordance with local, state, and federal law. The Police Department is committed to preventing and intervening in criminal conduct rather than criminalizing the status of homelessness.

The recent ruling provides an additional avenue for the Police Department to focus on criminal conduct associated with encampments or to address individuals who are in violation of this ordinance and have exhibited criminal behavior or pose a threat to public health and safety. However, citations or arrests solely for violations of the City's camping ordinance will likely result in coordination with additional City departments including Health and Human Services, Public Works, Parks Recreation and Marine, and the City Prosecutor's Office.

Q: What resources will be offered to individuals experiencing homelessness who are issued a citation or arrested?

A: The City offers a number of diversion programs to connect individuals experiencing homelessness to services and resources rather than being subject to fines or arrest.

Long Beach [Homeless Court](#), funded by LA County, is a partnership between the Long Beach City Prosecutor's Office, the Long Beach Department of Health & Human Services, the Los Angeles County Public Defender's Office, and social service organizations serving people experiencing homeless in Long Beach. Homeless Court assists people experiencing homelessness with any outstanding criminal legal needs, while simultaneously connecting them to services such as housing, disability benefits, social security, and mental health or substance abuse counseling. Services include:

Removal of active warrants

- Expungement of past convictions
- In some cases, dismissal or reduction of charges
- Parking citation forgiveness

Homeless Court takes place on the 3rd Wednesday of every month at the Multi-Service Center (1301 W. 12th Street, Long Beach, CA 90813). To see if you are eligible or to register for Homeless Court services, please complete this form.

The City Prosecutor's Office also offers the [Priority Access Diversion \(PAD\)](#) Program. This program connects individuals with mental health and substance abuse issues to services and diverts them from incarceration. When a potential PAD case is identified, mental health and substance abuse experts from the Department of Mental Health Court Linkage program and the Los Angeles Center for Drug and Alcohol Abuse assess the individual's needs and recommend suitable residential treatment programs.

Participation in PAD is entirely voluntary. The defendant must agree to treatment, and both the prosecution and defense attorney must approve the program terms and conditions, which are then subject to court approval.

The [Law Enforcement Assisted Diversion \(LEAD\)](#) program is a pre-arrest diversion program where police offices partner with prosecutors and service providers to divert people out of the criminal justice system and into case management and other supportive services. Long Beach Police Officers use the GUIDES App to refer clients to social workers. The social workers review the referrals and connect clients with appropriate service providers, who then reach out to offer assistance.

What are the City's plans to expand shelter and housing resources for individuals experiencing homelessness?

A: The City continues to prioritize expanding its temporary and permanent housing capacity. Since 2020, the City has expanded its directly operated shelter and interim housing capacity by 457 beds and has an additional 90 beds currently under construction to be opened in 2025. Overall, the Long Beach Continuum of Care has over 1,300 shelter beds. The City of Long Beach has about 3,250 subsidized permanent housing units for people experiencing homelessness.

The City recognizes homelessness and housing affordability as a major priority and will continue to explore and advocate for additional resources and facilities. For details on housing and homelessness investments, please visit the funding section of www.longbeach.gov/homelessness.

Q: I would like to request outreach services for someone experiencing homelessness or for an encampment, where do I go?

A: If you are looking to get help for someone who is experiencing homelessness or for an encampment with the City, please call (562) 570-4MSC (4672) or email HomelessServices@longbeach.gov to request outreach staff.

Q: I would like to report concerning behavior or criminal activity, where do I go?

A: For all emergency situations, please dial 9-1-1. For non-emergency situations, please call the public safety non-emergency line at (562) 435-6711

Q: I am an individual experiencing homelessness, where can I get help?

A: For general information about resources available for people experiencing homelessness, please call the [Multi-Service Center](#) (MSC) at (562) 570-4500 to speak with a phonenumber specialist. People experiencing homelessness may also visit the Multi-Service Center during operating hours at 1301 W. 12th Street, Long Beach, CA 90813. The MSC offers several resources including:

- Case management
- Housing Services
- Homeless Prevention
- Medical services through a clinic
- Obtaining vital records
- Obtaining identification
- Mail services
- Employment assistance
- Harm reduction services
- Mental health support
- Safe parking program and more

The City of Long Beach also operates the [Mobile Access Center \(MAC\)](#) which provides street outreach in different locations throughout the City. Operated by Homeless Services Bureau staff, the MAC provides resources for people experiencing homelessness, including case management, homeless prevention, connection to mental health services, mail services, connections to housing and more. The MAC schedule can be found [here](#).

For more information regarding homelessness in Long Beach, please visit www.longbeach.gov/homelessness