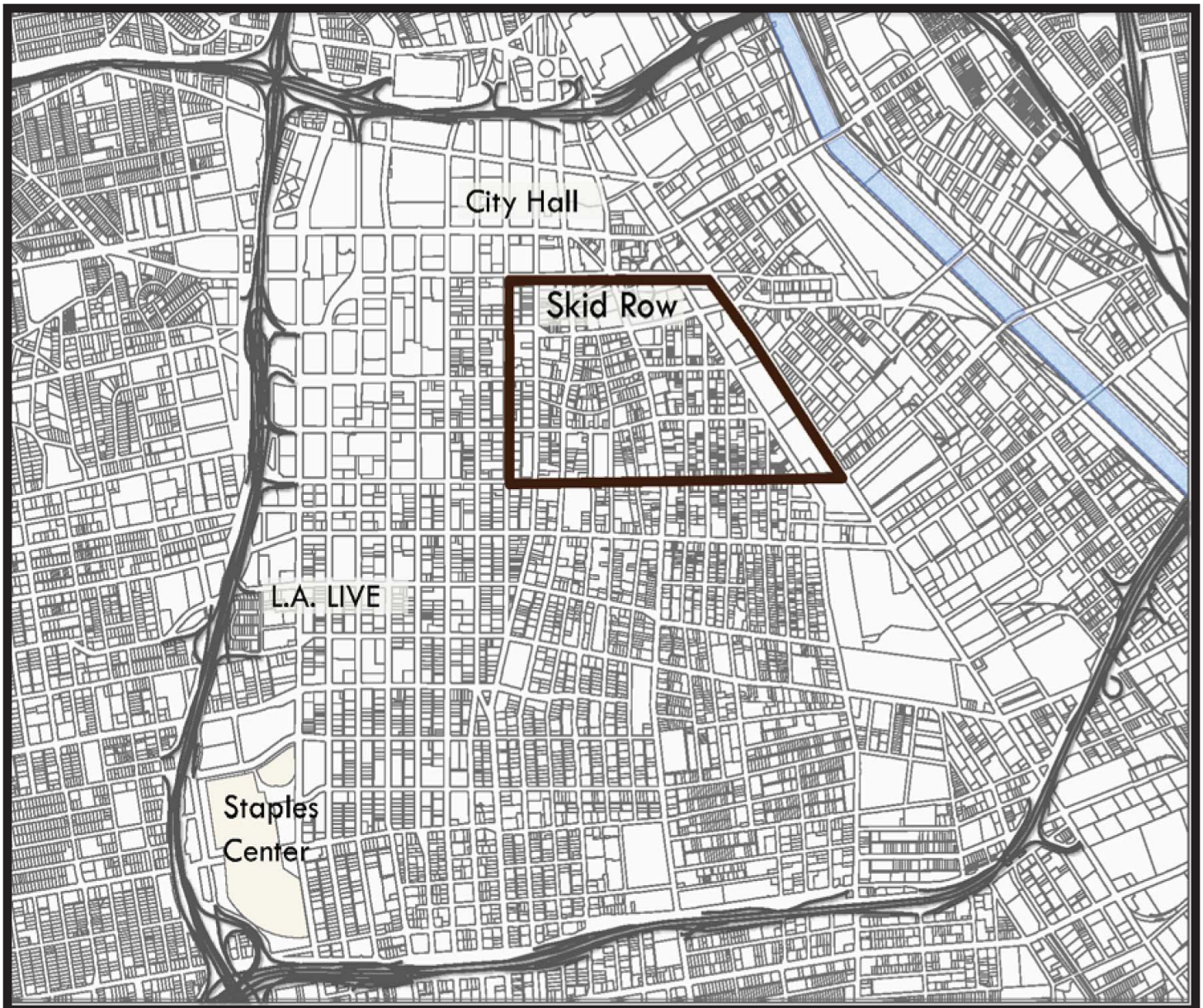


COMMUNITY-BASED HUMAN RIGHTS ASSESSMENT: SKID ROW'S SAFER CITIES INITIATIVE

Los Angeles Community Action Network
December 2010



Universal Declaration of Human Rights

Article 7.

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 9.

No one shall be subjected to arbitrary arrest, detention or exile.



artwork by: Art Hazelwood

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When Mayor Villaraigosa launched the Safer Cities Initiative (SCI) in September 2006, Los Angeles' Skid Row became home to arguably the largest concentration of standing police forces in the country.¹ In a community with a population of approximately 12,000 – 15,000 residents, the Los Angeles Police Department (LAPD) made over 19,000 arrests and issued roughly 24,000 citations in the Initiative's first two years. In 2007, a UCLA study found that the number of citations issued in the first year of SCI came at a rate up to 69 times higher than those found in other parts of a city already notorious for intense police activity.² While citation rates have been slightly reduced, arrest rates remained similar in the third and fourth years of SCI. Concerned with the sustained intensive policing of homeless and other low-income residents of Skid Row, and the lack of intervention by public officials, the Los Angeles Community Action Network (LA CAN) sought to document some of the impacts to residents after four years SCI policies and practices.

LA CAN, Legal Aid Foundation of Los Angeles (LAFLA), and other pro bono legal partners operate a weekly free legal clinic to provide representation for infraction citations, as well as address other legal issues that confront community residents. Legal clinic participants began to paint a startling picture of the Safer Cities patterns and practices, and the impacts on low-income people. For example, among other accounts of police interactions, physically-disabled residents report receiving crosswalk violation citations as a result of their inability to cross an intersection in sufficient time due to their use of wheelchairs, walkers, and canes. Among almost 600 tickets handled by LA CAN's legal clinic in 2009, 90% were for crosswalk violations/jaywalking and, among those that reported their disability status, 60% were people with disabilities. Given the fact that the fine for pedestrian signal violations is generally between \$159 and \$191, and that many Skid Row individuals live on fixed incomes between \$221 and \$850 per month, residents are often unable to pay monetary penalties. In just a few months, the fines can increase to over \$600 dollars. The person's driver's license may be suspended, and a warrant is often issued for arrest.

In addition to citations, residents come to the legal clinic with issues related to Safer Cities including criminal cases, police misconduct, and other issues beyond our current capacity. Through these stories and other incidents documented on videotape, it became clear that Safer Cities' impacts went beyond the police-reported statistics. To gain a more comprehensive description of resident-police interactions as well as more general information regarding citations and arrests, LA CAN conducted a survey of more than 200 Skid Row residents during August and September of 2010.

Over the course of two months, trained volunteers gathered information from respondents who live and/or receive services in the Skid Row community and who were primarily not already affiliated with LA CAN. Survey respondents were identified by their initials and year of birth, to avoid any duplication. Forrest Stuart, PhD Candidate in UCLA's Department of Sociology, served as a key advisor to the survey project, including oversight of interviewer protocol and data analysis.

The survey results demonstrate the vast impacts of the intense policing of Skid Row: incredibly high incidences of citation (56%) and arrest (54%) in the past year; loss of housing (52%) and/or services (42%) due to arrest; being subject to handcuffing and/or searches (75%) due to minor crosswalk violations; and a prevalent perception of racial profiling by police officers (75%). The full survey data is summarized on the following pages.³

¹ Gary Blasi and Forrest Stuart, "Has the Safer Cities Initiative in Skid Row Reduced Serious Crime?" (Los Angeles: UCLA Law School, 2008).

² Gary Blasi, "Policing Our Way Out of Homelessness?" Los Angeles; Inter-University Consortium Against Homelessness.

³ Note that the number of respondents in each section may vary due to respondents' choice to not answer, or due to the fact that certain questions are only relevant to, or asked of, particular subsets of respondents.

Demographics

The demographic characteristics of survey respondents mirror other records of the Skid Row population. Racially, respondents are predominantly African-American (60.1%). Non-Hispanic Whites (14.3%) and Latinos (10.8%) are the next largest racial groups.

The majority of respondents are male (68.7%), and the average age of the sample is 52.5 years old. Nearly half (48.5%) of respondents live in permanent housing, with 28% homeless and living in emergency or transitional housing, and 14.5% homeless and living on the streets. Almost three-quarters of respondents (73.8%) report either a physical or mental disability.

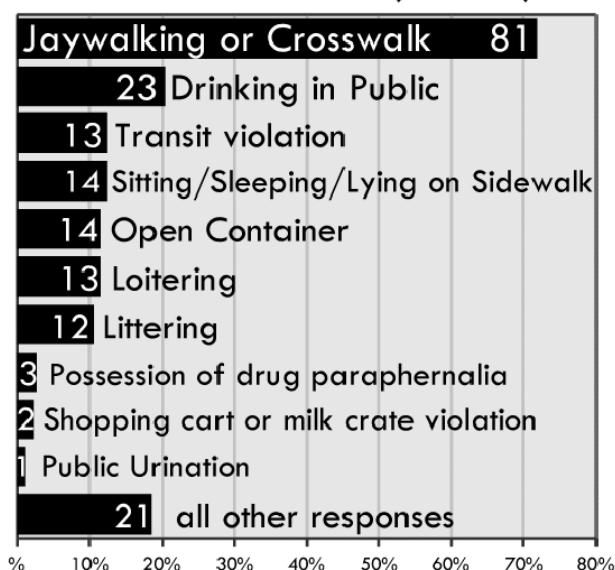
Race/Ethnicity	Response Count	Response Percent
African-American	122	60.1%
Asian or Pacific Islander	0	0.0%
Caucasian/White (Non-Hispanic)	29	14.3%
Hispanic/Latino	22	10.8%
Native American/American Indian	7	3.4%
Multi-Racial	2	1.0%
Other	21	10.3%
Total	203	100%

Citations

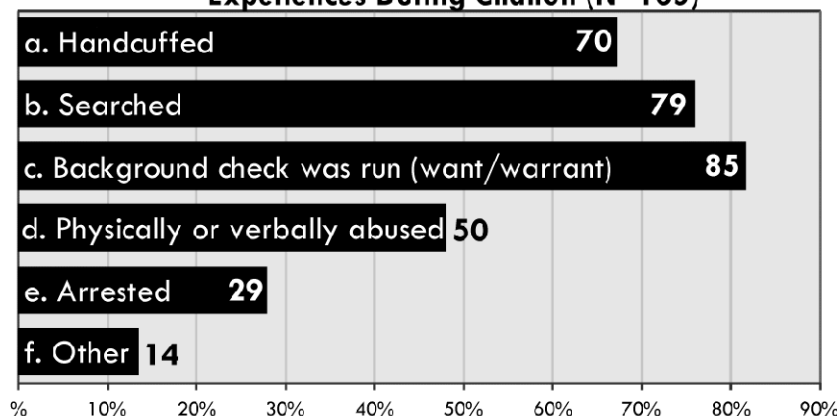
Residents were asked to estimate the number of citations they had received since the beginning of SCI in 2006. While not all respondents report receiving a citation, the average was 4 citations received per person. Because these estimates were over the course of four years, inquiring about the number of citations received in the last year would likely produce more accurate results.

When asked only about the previous year, 122 respondents (55.7%) report receiving a citation. Jaywalking/Crosswalk violations (71.7%) are by far the most frequently cited infractions, followed by drinking in public (20.4%), open container (12.4%), and sitting, lying, or sleeping on the sidewalk (12.4%).

Reason for Citation (N=113)



Experiences During Citation (N=105)



While receiving the citation, respondents report several police behaviors that seem excessive for minor violations, could violate constitutional rights and, more specifically, likely violate the 2009 "Fitzgerald" Settlement⁴.

A large majority (81%) report having their background checked while receiving a citation, 75.2% report being searched, 66.7% report being handcuffed. Almost half (47.6%) of respondents report being physically or verbally abused by the officer while receiving a citation.

⁴ Case no. CV 03-1876NM (RZx); Fitzgerald vs. City of Los Angeles; 2009 Settlement Agreement states, among other things, "A search incident to arrest is not permitted when a person is merely cited and released in the field for an infraction or misdemeanor."

According to respondents, citations have negative effects beyond the officer abuse, fees and penalties. **As a result of their citations, 31% report losing social services, 26.8% report losing housing, and 16.9% report losing employment.** Proponents of Safer Cities often claim that enforcement activities actually benefit poor and homeless people by connecting them to services. When asked if they felt they had benefitted from their citation, 86.6% felt that they had *not* benefitted.

Arrests

Residents were asked to estimate the number of times they had been arrested since the beginning of SCI in 2006. While not all respondents report an arrest, taken as a whole, the average was 2.8 arrests per person. Because these estimates were over the course of four years, it was likely more beneficial to inquire about the number of arrests in the last year.

Limiting responses to the last year, 103 respondents (53.6%) report being arrested. This arrest rate is astounding when compared to the 2009 adult arrest rate in California (4.9%)⁵ and the 2010 arrest rate in the City of LA (approximately 3.9%)⁶.

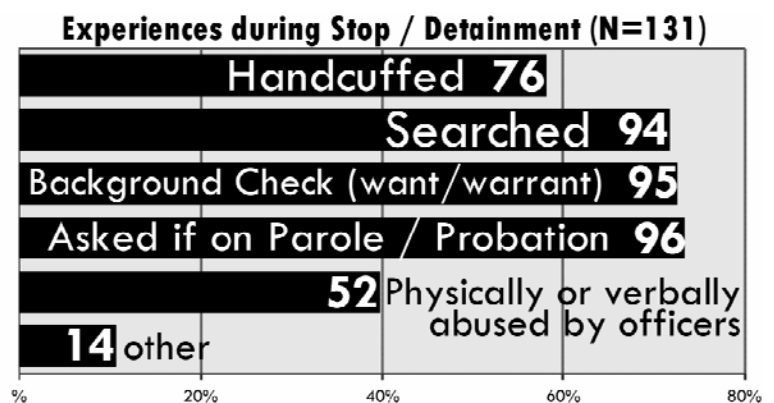


Outstanding warrants were cited as the most frequent reason for arrest (24.4%), with drug possession as the second most arrested offense (18.9%). **As a result of their arrest, 51.5% of respondents report losing housing, 42.4% report losing social services, and 16.4% report losing employment.** Over half (59.1%) of those arrested report physical or verbal abuse by officers.

Stops/Detainments without Citation or Arrest

In addition to citations and arrests, Skid Row residents have complained of police harassment in the form of frequent and warrantless stops and detainments. The majority of respondents (67.2%) confirmed the occurrence of such practices, reporting a stop/detainment resulting in neither a citation nor arrest.

In the last year, the average number of such stops/detainments was 5.3 per person. During these stops/detainments, the majority were handcuffed (60.3%), searched (74.6%), background checked (75.4%), asked if on probation or parole (76.2%).



As is the case with those receiving citations or being arrested, close to half (41.3%) of respondents report physical or verbal abuse by officers during a stop/detainment.

⁵ Office of the Attorney General, State of California. <http://ag.ca.gov/cjsc/keyfacts.php>.

⁶ Estimated using Citywide Compstat reports through 12/4/10. www.lapdonline.com.

Impact of Homelessness on Police Treatment

Respondents who are homeless and living on the streets report staggering rates of citations, arrests, and stops/detainments compared to the already high rates among all survey respondents.

	Homeless (N=29)	All Respondents (N=203)
Citations	24 (82.8%)	122 (55.7%)
Arrests	23 (82.1%)	103 (53.6%)
Stops/Detainments	25 (89.3%)	131 (67.2%)

Among the homeless individuals currently living on the streets surveyed, 82.8% report receiving a citation, 82.1% report an arrest, and 89.3% report a stop/detainment in the last year.

Attitudes toward Skid Row Policing

The LA CAN survey also assessed respondents' attitudes toward policing in Skid Row. Interest in this information stemmed partially from an analysis of previously-unpublished findings from a 2007 Los Angeles Homeless Services Authority (LAHSA) survey, administered as part of their bi-annual homeless count. Through a public records request, LA CAN obtained data from the survey to conduct a secondary analysis specifically in relation to the question of victimization. Over one-third (37%) of homeless respondents in LA County reported being a victim of police harassment since becoming homeless. This was the most prevalent form of victimization reported, exceeding assault (24%) and robbery (18%).

Category of Victimization of Homeless People	Percentage Reported
Police Harassment	37%
Assault	24%
Robbery	18%
Domestic Violence	9%
Sexual Assault	7%
Rape	6%

Note: from LAHSA's data, obtained as public record, not LA CAN's survey

Fear of or actual victimization by the police is of even larger concern among homeless and other very low-income residents of Skid Row. Among all respondents in the LA CAN survey, **146 (78.5%) report that they do not feel safe from police violence. The same number reports that they do not feel safe from police harassment.** A similar majority of respondents (74.6%) report being profiled by police in the last year due to race, economic status, or residence in the Skid Row area.

Conclusions

The Los Angeles Police Department and other City Officials continue to tout the positive aspects of Safer Cities policing, primarily through the use of heavily critiqued crime data but also by claiming improvements in residents' lives and access to needed services. This survey data paints a different picture for homeless and poor, and mostly Black, residents of Skid Row – one in which people become disconnected from housing and services due to policing; in which mass arrests, citations and detentions have become the norm; where 8 out of 10 residents do not feel safe from police violence and harassment; and where frequent and aggressive police interactions produce anger and fear.

The experiences of residents represented by this report clearly illustrate the human rights violations created by the Safer Cities Initiative and the human toll residents are expected to shoulder in exchange for simply living in their own community. Survey results and ongoing data collection through LA CAN's legal clinic add to growing evidence that it is impossible for the City of Los Angeles to police its way out of homelessness and extreme poverty. These results also illustrate why more than 3,600 Skid Row residents and workers signed petitions to end the Safer Cities Initiative, submitted to LAPD Chief Beck in September 2010, but to this day continue to be ignored.



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