REPORT OF THE CHIEF LEGISLATIVE ANALYST

DATE: May 31,2024

TO: Honorable Members of the City Council

FROM: Sharon M. Tso
Chief Legislative Analyst

Council File No. 21-0329-S4
Assignment No. 23-04-0215

Implementation of LAMC 41.18

SUMMARY

The Council adopted an amended Housing and Homelessness Committee report (Attachment A), as initiated by Motion (Yaroslavsky—Price Jr., C.F. 21-0329-S4), instructing the Chief Legislative Analyst (CLA), in coordination with the Los Angeles Homeless Services Authority (LAHSA), other relevant City Departments, and with requested input from the Los Angeles County Homeless Initiative and the LAHSA Lived Experience Advisory Board, to evaluate Los Angeles Municipal Code (LAMC) 41.18 (Attachment B).

Specifically, our Office was instructed to report on the following: 1) provide a list and map of all locations covered by the Ordinance; 2) estimate City expenditures related to Ordinance implementation; 3) perform an analysis of the Street Engagement and Management procedures of C.F. 21-0329 and analyze offers of housing and referrals up to six weeks prior to 41.18 designation; 4) evaluate the rate of individuals accepting housing along with the average duration of individuals being housed in both interim and permanent housing due to Ordinance engagement; 5) present the demographics of individuals placed into housing, including, but not limited to race, gender, systems-involvement, and incidence of serious mental illness and substance use disorder; 6) provide the rate and extent of repopulation in areas covered by the Ordinance; 7) display the number of citations issued by the Los Angeles Police Department (LAPD) related to Ordinance enforcement; 8) community acceptance of an intervention; and 9) the Ordinance's impact on public safety and passage of critical corridors with Americans with Disabilities Act access.

This report responds to items 2 through 8 above by focusing on recently compiled enforcement data provided by the LAPD; Ordinance engagement and housing placement data from LAHSA (Attachment D); City implementation cost expenditures estimated by the Bureau of Sanitation (LASAN), the LAPD, and CAO; and information gathered through numerous interviews with community stakeholders and Council Office staff.

Items 1 and 9 are addressed separately from this report. The Planning Department has recorded all locations identified by the Ordinance and has generated a publicly accessible map[1] and LAPD

[1] https://cao.lacity.org/homeless/index.htm, "City's 41.18 Locations"

has released a transmittal that evaluates 41.18's impact on public safety, discusses its impact on critical corridors passage, and explains Citywide enforcement patterns (C.F. 23-1213). A summary of the LAPD transmittal, which concludes that 41.18 has had a positive impact on public safety and a positive impact on critical corridor passage areas, is provided below. The LAPD report was transmitted to Council and is pending consideration.

Since enactment of the Ordinance, LAHSA and its affiliated organizations have engaged 174 encampments totaling 1,856 unique clients. Of the people engaged, 313 have been placed in Interim Housing (IH) and two (2) have been placed in Permanent Housing (PH), a placement rate of approximately 17 percent. Further information regarding the characteristics of individuals engaged during Ordinance enforcement along with an analysis of the Street Engagement and Management procedures (C.F. 21-0329, known as Attachment C) are provided below.

LAHSA reports that 81 percent of *encampment sites* have been repopulated. But analysis of individual-level data shows that the average rate of repopulation return across all 174 encampments is 39 percent, indicating that approximately 4 in 10 *individuals* engaged by LAHSA as part of 41.18 enforcement returned to their original encampment no sooner than 14 days after sign posting. The types of repopulation measured by LAHSA are discussed in detail later in this report. Note that because there is no clearly defined methodology to examine repopulation, our Office believes the repopulation estimates to be imprecise.

Citations are heavily concentrated in a handful of areas within the City, with three LAPD Divisions containing 75 percent of all citations. Misdemeanors account for 33 percent of all citations. Recent data suggests enforcement activity has shifted toward issuing infractions instead of misdemeanors.

Our Office estimates that the City spent approximately $3 million on Ordinance implementation between September 2021 and December 2023. The $3 million figure represents a minimum estimate because multiple departments, including LAPD, were unable to disaggregate their labor costs associated with 41.18-specific expenditures from their departmental expenditures.

RECOMMENDATION

That the Council Note and File this report.

If Council would like to revise Attachment C as identified in this report or with other amendments, instruct the Chief Legislative Analyst and City Administrative Officer to develop policies and procedures to maintain signage, better track sites, measure repopulation, and generate data to identify repopulation.

BACKGROUND

Jurisdictions across California have adopted laws that address sitting, lying, sleeping, and storing property in the public right-of-way. The City has such a law, known as 41.18, which denotes the section of the LAMC in which such provisions of City law are documented. In response to Motion (Rodriguez-Huizar, CF 19-0513), the CLA conducted a review of similar laws in other California localities in 2020, which reported on such laws in nine jurisdictions immediately

adjacent to the City. Since the 2020 CLA report, both the City and jurisdictions across California have adopted revisions to or entirely new laws on this subject.

Ordinance No. 187127 became effective on September 3, 2021, which revised Section 41.18 of the LAMC to specify the particular times and locations where it is unlawful for a person to sit, lie, or sleep, or to maintain personal property in certain designated public spaces.[2] Ordinance No. 187586 (C.F. 20-1376-S1), which became effective September 18, 2022, further revised LAMC 41.18 by amending Subsections (c), (e), and (f). The intention of LAMC 41.18 is to prevent obstruction of public spaces and other rights-of-way and promote public safety throughout the City.

LAMC 41.18 (Attachment B) currently specifies four types of violations:

> a) Sitting, lying, sleeping, storing, or maintaining personal property that obstructs a street, sidewalk, or other rights-of-way;
>
> b) Obstructing any portion of any street or other public right-of-way open to use by bicycles or other vehicles;
>
> c) Storing, sleeping, sitting, maintaining or placing personal property up to a maximum of 500 feet of a property designed as a "sensitive use," defined as a Public Park, Public Library, Over/Underpass, Shelter, or other area identified by the Council through resolution; and
>
> e) Storing, sleeping, sitting, maintaining or placing personal property within 500 feet of a School or Day Care Center.

LAMC 41.18 (a), (b), and (e) do not require posted signage or Council action to enforce, whereas 41.18 (c) cannot be enforced until at least 14 days have passed from the date the signage is posted at the designated area. Section (c)1-4[3] require a Councilmember to introduce a resolution identifying a specific location impermissible for obstruction, which is then subject to the Street Engagement and management procedures, a unified framework aimed at efficient homeless service delivery (C.F. 21-0329, Attachment C).

41.18 (c) Location Types

The Planning Department data includes 41 introduced resolutions related to 41.18 (c) with effective signage. Figure 1 shows the types of locations identified in adopted resolutions by year, which is grouped into five categories: 1) Public Parks; 2) Overpasses, Underpasses, and Freeways; 3) Homeless Shelters; 4) School and/or Day Care Centers; and 5) Libraries. The Other

[2] 41.18 (d) is no longer applicable due to the passage of Ordinance No. 187127. Prior to the passage of Ordinance No. 187127, 41.18 (d) prohibited individuals from sitting, lying, or sleeping within ten (10) feet of any operational and utilizable entrance or exit of a building, driveway, or loading dock.

[3] 41.18 (c) Section 4 requires a Councilmember to introduce a resolution identifying a specific location impermissible for obstruction for a maximum of one year. Under this subdivision, the resolution must state that the circumstances of continued obstruction at that location are a threat to public health or safety.

category includes a combination of less common locations such as active railways, parking lots, and drainage channels. The Planning Department map and underlying data is publicly available.[4]

As displayed in Figure 1, the total number of 41.18 (c) locations identified through resolutions with effective signage has steadily declined since 2021. Further, of these sites, the 33 School/Day Care sites are now covered by 41.18 (e).

Figure 1: 41.18 (c) Resolutions and Location Type

Year Adopted	Location Type						
	Park	Overpass/Underpass/Freeway	Shelter	School/Day Care	Library	Other	Total
2021	25	48	31	20	3	10	137
2022	43	24	6	13	4	26	116
2023	7	2	4	0	1	3	17
Total	**75**	**74**	**41**	**33**	**8**	**39**	**270**

Sanitation Operations Costs

From September 2021 through December 31, 2023, LASAN estimates that the City has spent at least $138,000 on 41.18 related activities. According to LASAN, no 41.18 operations involving sanitation staff occurred in 2021.

The primary method of homelessness sanitation service performed by LASAN is through the deployment of Comprehensive Cleaning and Rapid Engagement (CARE and CARE+) Teams. These teams conduct Citywide clean-ups along with trash, health hazards, and/or safety hazard removal on the City's public rights-of-way. CARE+ teams provide full comprehensive cleanings including the identification, documentation, and removal of health and safety hazards, the removal of trash and other debris, and the power washing of public rights-of-way. CARE teams provide spot cleaning services, health hazard identification, documentation, and removal, as well as LAMC 56.11[5] and ADA compliance. For reference, the 2023-24 Budget allocated over $60.2 million toward CARE/CARE+ related operations.

Although LASAN provides services under the general CARE work order in all Council Districts twice per week, many of these activities are not specifically related to 41.18. Thus, LASAN was unable to disaggregate CARE program costs specifically attributed to 41.18 operations.

Seven Council Districts had 41.18 CARE+ operations performed in 2022 and 2023 related to 41.18 enforcement. In 2022, a total of 234 CARE+ operations related to 41.18 were performed, with 162 related to spot cleaning and 72 related to comprehensive cleaning actions. The 234 actions resulted in an estimated $81,000 in 41.18 related costs.

A total of 146 CARE+ operations related to 41.18 were performed in 2023, with 77 performed in relation to spot cleaning and 69 related to comprehensive cleaning efforts. These 146 actions

[4] https://cao.lacity.org/homeless/index.htm, "City's 41.18 Locations"
[5] LAMC 56.11 regulates the storage of personal property in public rights-of-way.

resulted in an estimated total of $57,000 in 41.18 related costs. These are direct costs and do not include travel time, related expenses, or compensated time off.

CAO Expenditure Estimates

According to the CAO, the City has spent approximately $2.83 million in the administration of the Ordinance from September 2021 through December 31, 2023. Of this amount, over $1.83 million is due to the cost of signage and posting of notifications across the City in areas such as freeway underpasses, parks, and other "sensitive use" locations determined by the Council. Specifically, this is comprised of the following expenses: the General Services Division (GSD) has spent $987,000 related to signage and posting and the City's subcontractor, Ilium, has received over $845,000 from the Department of Transportation (DOT) to assist with signage. Specific tasks performed by Ilium include submission of signage related documents to the CAO, sign fabrication, and sign installation.

The remaining $1 million in expenditures are attributable to City staff hired to coordinate the Ordinance's implementation. Six positions—one principal project coordinator and five senior project coordinators—received funding to administer the Ordinance by performing tasks such as tracking resolutions, coordinating service delivery, and monitoring signage installation.

LAPD Ordinance Citations

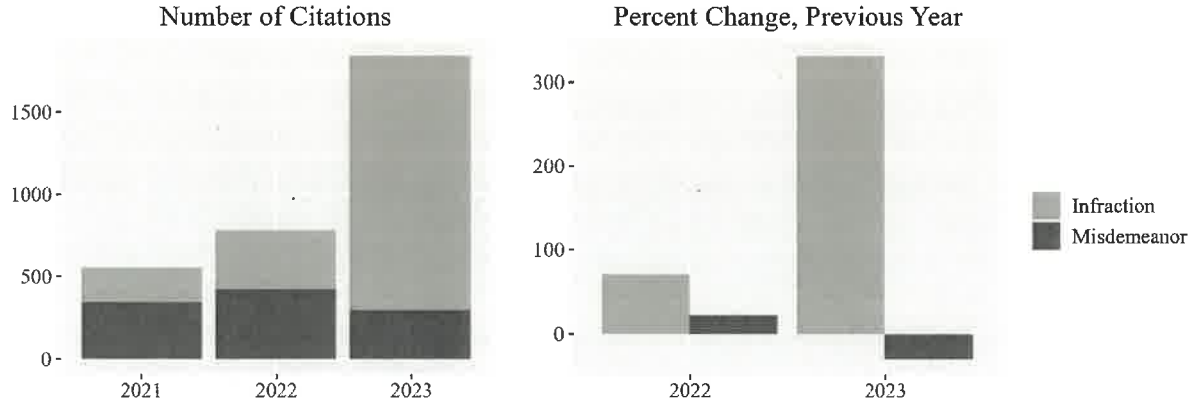
Figure 2 presents all Ordinance citations recorded by the LAPD from January 1, 2021 to December 31, 2023. The Devonshire, West Los Angeles, and Rampart divisions comprise 75 percent of all citations, whereas other area stations such as Hollenbeck, Foothill, Northeast, and others have few or zero recorded citations. According to LAPD, areas with a greater number of citations are due to "increased training on the proper policy and procedure for enforcement of LAMC Section 41.18, responding to crime trends within their Area, and a commitment to addressing community concerns."

Figure 2: LAPD 41.18 Citations by Division							
Division	Jan 1, 2021-Dec 31, 2021		Jan 1, 2022-Dec 31, 2022		Jan 1, 2023-Dec 31, 2023		Total
	Infractions	Misdemeanors	Infractions	Misdemeanors	Infractions	Misdemeanors	
Central	0	4	5	5	15	17	46
Rampart	24	0	61	0	256	1	342
Southwest	0	0	0	0	0	2	2
Hollenbeck	0	0	0	0	0	0	0
Harbor	0	2	0	5	1	0	8
Hollywood	0	1	2	0	11	0	14
Wilshire	0	1	0	2	4	7	14
West LA	63	255	25	148	156	65	712
Van Nuys	0	0	0	2	2	4	8
West Valley	0	3	0	0	0	0	3
Northeast	5	10	5	18	13	1	52
77th Street	0	0	0	0	0	0	0
Newton	0	19	1	64	25	14	123
Pacific	9	1	2	5	32	4	53
N. Hollywood	85	19	66	15	34	0	219
Foothill	0	0	0	0	0	0	0
Devonshire	17	22	162	112	901	133	1,347
Southeast	0	0	5	21	56	10	92
Mission	1	3	12	11	40	24	91
Olympic	6	3	1	1	0	1	12
Topanga	0	2	12	14	3	14	45
Total	**210**	**345**	**359**	**423**	**1,549**	**297**	**3,183**

Citations are separated into two types of violations: 1) Infractions and 2) Misdemeanors. Infractions can only be issued by LAPD if voluntary compliance is first sought and then a "reasonable amount of time" is given for the person in violation to cease their offending behavior. If the individual remains in violation after being warned and afforded reasonable time to comply, LAPD can then issue an Administrative Citation Enforcement (ACE) or a Release from Custody (RFC) for an infraction. Misdemeanors can be issued when the offending individual willfully resists, delays, or obstructs any City employee enforcing 41.18 or willfully refuses to comply with an order by an authorized City employee.

Figure 3 provides a graph of the data in Figure 2 and calculates the percent change in infractions and misdemeanors from the previous year. The total number of citations issued under the Ordinance was 555 in 2021, 782 in 2022, and 1,846 in 2023. Whereas in 2021 and 2022 infractions as a percentage of all citations is 38 percent and 46 percent, respectively, the number of infractions climbs to 84 percent for 2023. Also shown in Figure 3 is the percent change in citations from previous years separated by citation type.

Figure 3: LAPD 41.18 Citations



In comparison to 2021, 2022 recorded an increase of 71 percent more infractions and 23 percent more misdemeanors, while 2023 saw a 331 percent increase in the number of infractions in comparison to 2022 and a 30 percent decrease in the number of misdemeanors. Thus, Ordinance enforcement has appeared to shift toward issuing infraction citations instead of misdemeanors, indicating a reduction in the severity of 41.18 violations. The LAPD Report (C.F. 23-1213) relative to the enforcement of LAMC Section 41.18 evaluates these data and includes additional details about the Department's Ordinance enforcement.

Figure 4 presents 41.18 citations separated by violation type, which indicates that 41.18 (a), (b), and (e) comprise 90 percent of all citations given by LAPD. The remaining 10 percent of citations were issued enforcing 41.18 (c) and (d). Figure 4 also shows a clear pattern of rising 41.18 (a) citations: the number of citations climbed to 1,416 in 2023, which is more than the previous two years combined. 41.18 (d) and (c) violations see a decline, as 2021 contains 172 violations, with the next two years totaling 136 violations.

As shown in Figure 4 below, there is an overall increase in 2023 for all violations, primarily due to the significant increase in the number of 41.18 (a) citations.

Figure 4: LAPD 41.18 Citations by Violation Type

Year	41.18(a)	41.18(b)	41.18(c)	41.18(d)	41.18(e)	Total
2021	360	23	0	172	0	555
2022	622	96	40	0	24	782
2023	1,416	252	96	0	82	1,846
Total	**2,398**	**371**	**136**	**172**	**106**	**3,183**

LAPD Transmittal Regarding Public Safety and ADA Corridors

LAPD believes that LAMC Section 41.18 and its subsections have an overwhelmingly positive impact on public safety. The application of 41.18 has allowed the City to reduce the number of encampments where chronic violence and crime has occurred. This has led to a substantial decrease in the number of unhoused individuals subjected to violent crime. The transmittal further notes that the positive impact of 41.18 is evidenced by the overall decrease in homeless-related crime in 2022, which continued in 2023.

Specifically, Department figures indicate that violent crime against unhoused individuals fell 3.9 percent and property crimes fell 4.6 percent between 2021 and 2022. Department figures also indicate that violent crime against unhoused individuals fell 6.9 percent and property crimes fell 27.5 percent between 2022 and 2023. Council Offices can request public safety information regarding specific sites from LAPD. It is unclear, however, if the decline in violent crime against unhoused individuals was caused by 41.18, another public safety law, or outreach from service providers or City personnel.

As shown in Figure 4, the most common use of LAMC Section 41.18 involves the warning and citation of individuals for impeding clear and accessible sidewalk pathways. LAPD notes that the overtaking of public rights-of-way and blocking access to sidewalks, roadways, alleys, and businesses remains a common complaint of community members. Thus, the usage of 41.18 has become LAPD's most viable option in the effort to maintain the use of the public right-of-way and maintain the public space open and free for public travel. LAPD's unabridged explanation, along with a discussion of enforcement patterns can be viewed in a separate transmittal (C.F. 23-1213).

LAHSA Engagement and Repopulation Data

As part of the Street Engagement and Management procedures stipulated in Attachment C of the Council's adopted Street Strategy (CF 21-0329), any area designated by a Councilmember under 41.18 (c) must be engaged in accordance with a seven-step process that involves LAHSA Homeless Engagement Teams (HETs)/Multi-disciplinary Teams (MDTs) and LASAN outreach. Once an encampment has been engaged by the appropriate entity prior to LAPD contact, the HETs/MDTs coordinate with the Council Office and the Unified Homeless Response Center (UHRC)/CAO regarding immediate needs. There is no requirement that individuals engaged through the Street Engagement Strategy be offered housing, though Attachment C includes action to identify available housing resources. LAHSA reports that a multitude of individuals experiencing homelessness engaged through a 41.18 resolution are offered IH in congregate or non-congregate settings.

LAHSA reports that a total of 174 encampments and 1,856 individuals have been engaged in accordance with Attachment C protocols to address locations identified for clearance by Resolution adopted under 41.18 (c) from December 2021 to November 2023. These 174 locations represent the total number of populated encampments out of the original list of 240 that had individuals present at the time of original LAHSA engagement. The LAHSA data indicate that 94 percent of all individuals engaged sought housing, but it is unclear how many individuals were offered housing. Engagement data also indicate that 81 percent of individuals contacted by LAHSA received services. The data do not explicitly state what services each individual was offered.

LAHSA Memo and Underlying Data

Our Office received the findings from LAHSA's 41.18 engagement electronically on November 28, 2023 (Attachment D). In examining the Memo and its underlying data, our Office compared the LAHSA data with existing City sources in order to reproduce its results. As discussed below, discrepancies were identified that precluded replication of the Memo's findings.

Figure 5 presents the total number of observations described by LAHSA pertaining to three different address lists: 1) the "Original" list of 240 addresses; 2) the list of addresses where clients were identified at first clearance, or the "Client/Placement" list; and 3) the "Repopulation" list that includes locations and estimates of individuals who had entered a site 14 days after 41.18 sign posting.

Figure 5: LAHSA Encampment Data

LAHSA Dataset	Number of Locations
Original List	240
Client/Placement List	174[6]
Repopulation List	180

However, after analyzing the dataset discussed in the LAHSA transmittal, our Office identified 270 sites with effective signage instead of the 240 included in the Original list described by LAHSA.[7] Figure 6 displays all 41.18 resolutions with effective signage alongside the corresponding Council File and number of individual locations identified in each resolution. Figure 6 displays 41 total 41.18 resolutions corresponding to 270 unique locations with effective signage.

[6] The encampment located at Venice Boulevard and the 405 Freeway is a duplicate address (C.F. 22-4118-S14). Thus, the total number of addresses in the Client/Placement list should be 173.

[7] For example, the encampment located at 310 N. Main Street, Los Angeles, CA 90012 (C.F. 21-4118-S13), was found to contain over 50 single adults by LAHSA during their outreach efforts but is not included in either the Original list or Client/Placement list.

Figure 6: 41.18 Resolutions and Effective Signage Locations		
Resolution #	**C.F. #**	**# Locations, Effective Signage**
1	21-4118-S1	9
2	21-4118-S2	25
3	21-4118-S3	11
4	21-4118-S4	4
5	21-4118-S5	7
6	21-4118-S6	6
7	21-4118-S7	10
8	21-4118-S8	5
9	21-4118-S9	5
10	21-4118-S10	1
11	21-4118-S11	15
12	21-4118-S12	5
13	21-4118-S13	4
14	21-4118-S14	9
15	21-4118-S15	4
16	21-4118-S17	7
17	21-4118-S20	11
18	21-4118-S21	20
19	21-4118-S22	6
20	21-4118-S24	2
21	21-4118-S25	3
22	22-4118-S1	2
23	22-4118-S2	1
24	22-4118-S3	1
25	22-4118-S4	1
26	22-4118-S5	7
27	22-4118-S6	3
28	22-4118-S7	13
29	22-4118-S8	1
30	22-4118-S9	1
31	22-4118-S10	17
32	22-4118-S11	11
33	22-4118-S12	4
34	22-4118-S13	3
35	22-4118-S14	17
36	22-4118-S15	1
37	22-4118-S16	1
38	23-4118-S1	12
39	23-4118-S2	1
40	23-4118-S3	2
41	23-4118-S4	2
Total		**270**

The additional 30 addresses represent a nearly 13 percent difference between the addresses LAHSA originally examined and the total number of locations designated through 41.18

resolutions with effective signage. It is unclear how the exclusion of these sites affects the figures contained in the three lists displayed in Figure 5.

As shown in Figure 6, the 41 resolutions with effective signage since the enactment of Ordinance No. 187127 average approximately seven locations per resolution.[8] As a result of revisions to 41.18 adopted by Council in 2022, resolutions that identified locations where there was substantial overlap with other zones such as schools or daycare centers are also not included in the Planning Department data (see C.F. 21-4118-S18 and C.F. 22-4118-S10). In the event an identical location is included in two separate resolutions, only the most recently introduced Council File is present in the Planning Department figures.[9]

LAHSA Repopulation Estimates

Among the 174 observations included in the Client/Placement list displayed in Figure 5, 141 were identified where at least one individual returned to their original encampment. LAHSA classifies this as a repopulation resulting in a rate of 81 percent of sites experiencing a return of population. This figure stands in stark contrast to the data collected at the individual level: across all 1,856 clients in these 174 sites, 717 returned to their original encampment, indicating that nearly 39 percent of individuals returned to their designated encampment more than 14 days after sign posting. Thus, the individual rate of return is less than half of the "repopulation" communicated to our Office. The LAHSA memo reported the rate of repopulation at the encampment level, but not the rate of repopulation at the individual level. The individual rate of repopulation return was determined by analysis of the underlying LAHSA data. This suggests that the size of repopulated encampments were smaller compared to the site prior to 41.18 enforcement.

Repopulation Methodology

LAHSA advises that outreach teams examine locations if they have staff capacity but there is no set frequency to check previously cleared sites for repopulation. Thus, it is unclear if sites were checked for repopulation at 30-day, 60-day, or 3-month intervals, or if repopulation checks were prioritized at larger sites. It is also unclear if locations were re-visited after being "repopulated," which may account for the 81 percent repopulation figure stated in the LAHSA transmittal. Indeed, based on this methodology, if sites that had repopulation were never checked again and were not updated to reflect their current condition, a 100 percent repopulation rate would be achievable. The double-counting of clients, unclear method with which sites were checked for repopulation, and poor data quality, lead the LAHSA repopulation figures to be imprecise. LAHSA states as much in their memo but then uses these figures to conclude that 41.18 is "relatively ineffective."

The City's Street Engagement Strategy, Attachment C, does not establish a clear frequency for site checks. Therefore, neither LAHSA nor any other entity was responsible for revisiting and recording any findings at designated 41.18 (c) sites.

---

[8] Additional resolutions prohibiting the lying, sleeping, or storing of personal property at certain designated locations for public safety purposes (see C.F. 21-4118-S26) were not included because they were inactive zones.

[9] For example, 1300 Dodson Avenue, San Pedro, CA 90732, was originally identified in C.F. 21-4118-S18, a resolution omitted from Figure 6. It is identified in a subsequent resolution, C.F. 22-4118-S10, and is included in the tabulations presented in Figure 6.

Repopulation Measurements
The Repopulation list shown in Figure 5 includes 180 addresses that LAHSA identified as having "repopulation," which is six more addresses than the number of encampments contained in the Client/Placement list.

The LAHSA transmittal defines repopulation as "recorded services or CLS [current living situations] in a given encampment by a 41.18 client at least 14 days after the effective sign date." This definition, therefore, does not require an individual be present at the encampment site at the initial clearance date. Rather, if LAHSA dispatched outreach teams to a site that was at first empty, individuals present at a later date could be counted as "repopulated." This allegedly occurred in 17 sites that were vacant at the time of initial outreach and were later added to the Repopulation list (see Figure 5).

LAHSA records two repopulation statistics: 1) Intra-Encampment Repopulation; and 2) Inter-Encampment Repopulation.

Intra-Encampment Repopulation refers to the number of clients who had outreach interactions in their designated encampment more than 14 days after 41.18 signage was posted. Because intra-encampment repopulation measures the rate of return for clients at a designated encampment site, this figure cannot be less than zero and *cannot be* greater than the size of the original encampment.

Inter-Encampment Repopulation measures the total number of clients who had outreach interactions from a different designated main encampment more than 14 days after sign posting.[10] Therefore, an individual site's inter-encampment repopulation rate *can be* greater than the size of the original encampment because this figure includes clients from other encampments. Because LAHSA did not examine sites at regular intervals or carefully document their repopulation measurement techniques, resulting in double and triple counting of clients, our Office believes the Inter-Encampment Repopulation measure is not meaningful.

LAHSA also notes that the majority of encampment repopulations occurred over a longer timeline than 14 days, as the median number of days to repopulation is 157, with the average number of days to repopulation being 342. If this figure is accurate, it would suggest that half of cleared 41.18 sites become repopulated within approximately 5 months or sooner with the other half of sites remaining clear for a longer period of time. Enforcement of repopulated sites is required by Attachment C, but is difficult to execute because of LAHSA's limited resources, and the lack of a unified methodology or process to regularly monitor these sites.

Our Office was also informed that individual encampments residing at the edge or immediately beyond a designated zone can be counted as repopulation by LAHSA because LAHSA teams do not always measure if an encampment is within the 500 or 1000-foot buffer zone. As a result, LAHSA repopulation data may be overstated as it may not reflect actual repopulation at a site. If

[10] LAHSA notes that clients are not assigned a unique identifier for inter-encampment repopulation, which means a client can be counted for inter-encampment repopulation multiple times. For example, if a client was first identified in encampment A and was later engaged in encampments B and C, they are counted as an inter-encampment repopulation for both encampments B and C.

an individual attempts to repopulate a previously cleared zone, they are informed by engagement teams that they are prohibited from occupying the zone and are offered services.

Examination of Repopulated Sites

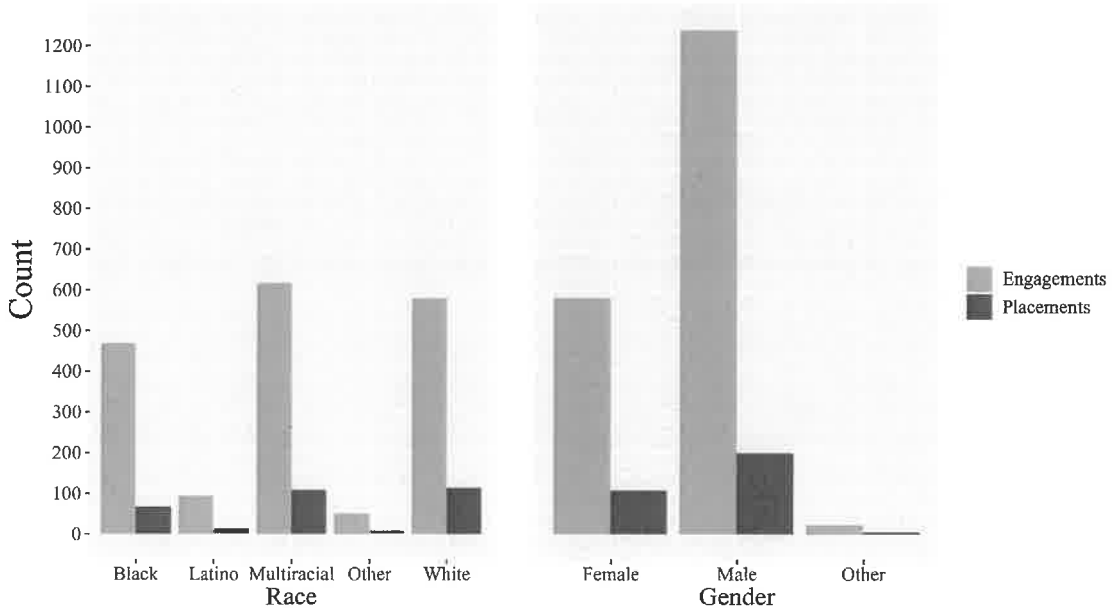
On January 24, 2024, our Office visited approximately 20 sites in Council Districts 2, 3, 5, 6, 7, 10, 12, 13, and 14 from the Client/Placement list of 174 locations. In-person observations indicated that many of the sites had been repopulated, but that the number of individuals at each site was smaller than the tabulations included in the Repopulation list.

Our observations found that encampments had failed to remain clear in most instances, but that the number of people had dramatically declined since LAHSA's initial assessment of each site. In certain cases, the sites were entirely clear and had only a small number of personal belongings remaining.

LAHSA Engagement Demographics

The engagement effort resulted in 313 Interim Housing (IH) placements and two (2) Permanent Housing (PH) placements, a placement rate of approximately 17 percent. Figure 7 displays the demographic characteristics of individuals engaged and placed in either IH or PH.[11]

Figure 7: LAMC 41.18 Housing Engagements and Placements



As shown in Figure 7, 581 identified as White, 470 individuals as Black, 618 as Multiracial, 94 as Latino, and 51 as Other. Of these, 114 individuals identifying as White were eventually placed into housing, with 67 Black, 109 Multiracial, 11 Latino, and 6 Other also being placed in housing

[11] Race and gender were not observed for 42 and nine (9) engaged individuals, respectively. Thus, the total number of engaged individuals with a recorded race is 1,814, and the total number of engaged individuals with a recorded gender is 1,847. The race of eight (8) and gender of two (2) individuals placed into housing was also not recorded. Therefore, the total number of individuals placed into housing with a recorded race is 307, and the total number of individuals placed into housing with a recorded gender is 313.

within two weeks after client engagement. The Other category identifies individuals from a racial or indigenous group with a smaller recorded population such as Native Hawaiian or Pacific Islander, Asian, or American Indian.

Taken together, these figures indicate that individuals identifying as White represent 32 percent of all individuals engaged by LAHSA and its affiliates, 26 percent as Black, 34 percent as Multiracial, 5 percent as Latino, and the remaining 3 percent as Other. Individuals placed in IH follow a similar pattern: of all individuals eventually placed into IH, 37 percent were White, 36 percent Multiracial, 22 percent Black, 4 percent Latino, and 2 percent Other.

With regard to gender, 1,242 men and 582 women were engaged by LAHSA and affiliated organizations, with another 23 identifying as Other, which includes transgender, non-binary and unknown clients. Of these, 200 men, 108 women, and 5 Other were placed in IH. Therefore, 67 percent of all engaged unhoused individuals were men, 32 percent were women, and the remaining amount Other. The gender composition of individuals placed in IH is as follows: 64 percent male, 35 percent female, and the remaining one percent Other.

According to the transmittal our Office received from LAHSA, the median length of stay for 41.18 clients who were placed into IH was 53 days. Of the 313 individuals placed into IH, approximately 45 percent, or 140, were still housed as of November 2023.

Further, 38 percent of individuals placed into housing self-reported having a mental health disorder and 42 percent of individuals placed into housing self-reported a substance use disorder. LAHSA did not require a self-reported response to be placed into housing; clients were allowed to either answer "No" or decline a response. Systems involvement—whether or not an individual served in the child welfare, behavioral health, or juvenile justice system—was not tracked as part of LAHSA's Ordinance engagement.

As discussed below, LAHSA is engaged in the 41.18 Street Engagement Process throughout, with the responsibility to identify and offer housing to encampment residents. LAHSA does not track all housing options offered to clients six weeks prior to 41.18 enforcement, thus we do not know the rate of housing acceptance. Residents of cleared encampments are offered a variety of options ranging from Tiny Home Villages, shelter, congregate IH, and PH, as permitted by availability. Note that clients may not be offered housing, as Attachment C does not require a concrete housing offer when a site is cleared, though LAHSA reports that 94 percent of clients sought housing.

Analysis of The Street Engagement and Management Procedures

The Street Engagement and Management strategy outlined in C.F. 21-0329, also known as "Attachment C," is a seven (7) step process developed with the purpose of maximizing housing placement efficiency through a unified strategy of engagement and collaboration across City and County service providers. Whereas Ordinance No. 187127 revises the LAMC, Attachment C acts as a programmatic response to implement 41.18 (c). Attachment C was intended to maintain consistency in scheduling, staffing, and engagement so that relationships can be formed between outreach workers and unhoused populations, with smooth transitions when staffing changes occur. Attachment C is only operational when a Councilmember introduces a resolution

designating a certain area as unavailable for sitting, lying, sleeping, or maintaining personal property as described under 41.18 sections (c)(1-4) and (d). Placement into housing is not required by Attachment C.

Steps 1 and 2: Resolution Introduction and Encampment Engagement
Step 1 of Attachment C begins when a Councilmember introduces a resolution for LAMC Section 41.18, sections (c)(1-4) and (d). The Unified Homelessness Response Center (UHRC) informs LAHSA, LASAN, and other appropriate entities of the new sites. LAHSA then coordinates with the CAO to complete an Encampment Assessment Form (EAF) evaluating the site, which should include information such as the number of unhoused individuals, the services required, a description of the encampment, and the date of contact, among other details. Although initially EAFs were supposed to be publicly available, the CAO later recommended that they be designated the custodian of all forms due to the sensitive nature of the information included in EAFs (C.F. 21-0329-S1). EAFs identify personal information about encampment residents, such as potential mental health issues, which should be protected.

Of the 174 encampment locations included in the LAHSA memo that were engaged by LAHSA, an EAF was completed for 169 sites, a rate of 97 percent. The completeness of EAFs varies widely: some forms possess substantial information about the site, its inhabitants and living conditions, and services needed, whereas others include only an address and date with minimal details.

Step 1 also includes the coordination of various services between LAHSA Homeless Engagement Teams (HET)[12] and/or Multi-disciplinary Teams (MDT)[13] with City and County departments to address immediate needs, and the Council Office acting as the engagement lead. Council Offices frequently act as the team lead of the engagement.

Step 2 of Attachment C instructs the engagement lead, in coordination with the Council Office and LASAN teams, to identify housing and other resources to offer encampment clients. A Coordinated Entry System (CES)[14] outreach coordinator collaborates with the engagement team to deliver services and performs an assessment for all dwellers present, when possible. Although part of outreach related to Attachment C, CES assessments do not have to be performed for an

---

[12] HETs are two-person teams that engage with unsheltered persons to build a trusting relationship in order to connect them to services, shelter, or housing, if these resources are available. Types of HETs vary from Citywide General HETs that can perform emergency and proactive functions anywhere in the City depending on deployment to Geography-Based HETs that serve areas with large unhoused populations and HETs that are assigned to single a Council District. The County also funds dozens of HETs through Measure H; these HETs perform the same proactive and emergency response duties as City HETs.

[13] Multi-Disciplinary Teams (MDT) are specialized County outreach teams, typically comprised of five members having expertise in the following areas: mental health, substance abuse, case management, and peer support (lived experience). MDTs are administered by the County's Department of Health Services (DHS) and staffed by contracted service providers. Assistance from MDTs can be requested by HETs who may need their specialized services.

[14] The Coordinated Entry System (CES) was established to efficiently connect people experiencing a housing crisis to resources such as housing, mental health, and sanitation services. CES is currently split into three (3) systems that serve Adults, Families with Children, and Youth across Los Angeles County. Individual information is added to a database called the Homeless Management Information System (HMIS) and are then referred to different resources across the County that match their needs.

individual entering IH. LAHSA has communicated to our Office that, as a result, most engaged clients were not subject to a CES evaluation. Not performing a CES evaluation reduces an additional barrier to entry for unhoused populations, which should be helpful in successfully placing clients.

Discussions with multiple Council Office staff indicate that the CAO played an important role in the execution of Attachment C, specifically by contacting relevant City departments to perform site engagement and cleanup.

Attachment C does not establish a time limit that drives the date by which a designated area will be posted. Steps 1 and 2, as a result, can be implemented over a time period determined by the Council Office, which can vary to ensure adequate time to provide services, such as connection to mental health resources, if they are available, and placement into IH or PH. The time periods between site identification, clearance, and examination of repopulation are not described in the LAHSA transmittal or in subsequent correspondence.

Step 3: Data and Reporting
Step 3 of Attachment C requires the engagement lead to provide daily reports documenting the specific services offered and accepted, and the number of successful housing placements. LAHSA has submitted a memo detailing the housing engagements, housing placements, and services offered to and refused by encampment clients. These figures are described in more detail above, but they do not consist of daily reports that provide data on specific services offered and accepted. Instead, the LAHSA report presents engagement figures summarized across time.

Step 4: Engagement Completion
Step 4 instructs the engagement team to confirm a clean-up date with the Bureau of Sanitation (LASAN), while the Council Office coordinates with the CAO regarding whether or not the site requires a fence or barrier. The lead is also expected to submit the final after action report two weeks after the final cleanup of the site to the CAO. Our Office has confirmed that LAHSA completed 163 after action reports out of the 174 cleared sites identified in the LAHSA memo, a rate of approximately 94 percent.

Completed reports provide a summary of the outreach services provided to each 41.18 (c) location by LAHSA HETs. Services include mental health and substance abuse referrals and resources, IH and PH referrals, among others. Reports also include the number of individuals contacted through outreach along with the total number of site visits by LAHSA. Some sites include up to 55 distinct clients with 11 visits by LAHSA outreach, whereas others have two clients and three visits from outreach teams.

Step 5: Maintenance
Step 5 of Attachment C instructs LAHSA HETs to continue checking the site, providing additional outreach if necessary. Attachment C does not define or methodically instruct LAHSA regarding site repopulation examinations.

Due to limited resources, LAHSA has not actively monitored cleared encampment sites. Effort should be made to establish a specific protocol that should be employed when tracking and measuring repopulation.

Step 6: Resolution Adoption and Sign Posting
Once the resolution is adopted, the City will post signage at the designated area(s) identified in the resolution, which gives notice of the date after which sitting, lying, sleeping, or storing personal property is prohibited. Signage has been installed in active sites as designated under 41.18 (c), but may not be visible due to vandalism.

Step 7: Ordinance Compliance
The final step of Attachment C involves LAHSA HETs monitoring sites 14 days after the posting of signage. As stated above regarding Step 5, LAHSA has been unable to follow Council instructions related to site repopulation, and it does not appear that a methodology for periodic site evaluations was developed or followed. The lack of a unified methodology or standardized procedure to identify repopulation at specific sites has compounded the difficulty in accurately measuring repopulation across encampments.

Effectiveness of Attachment C
As communicated by the Homelessness and Poverty Committee at its meeting on May 25, 2021 (C.F. 21-0329), the purpose of the Street Engagement and Management procedures is to develop a Citywide framework to coordinate outreach teams to ensure individuals experiencing homelessness are successfully placed into housing and connected with other essential services.

LAHSA identified a number of key issues with the 41.18 data, most notably the lack of unique identifiers for location data. Our Office agrees with the assessment that a unique identifier should be used among all City Departments in the identification of encampment sites. LAHSA was also given inadequate instruction regarding the measurement of repopulation. A standardized approach with clearly defined terms should greatly enhance data accuracy and reporting. LAHSA also communicated that they were not properly notified of sign posting dates, which should be considered if Council chooses to revise Attachment C. Clearer communication could ameliorate some of the issues LAHSA encountered surrounding data quality and reporting.

LAHSA indicates that the procedures outlined in Attachment C have been "mostly ineffective" in housing homeless individuals. Although LAHSA was engaged at multiple steps of the outreach process—from engagement and site identification to encampment cleanup and placement—the results purportedly lag behind other "more effective" policies such as Inside Safe. However, the comparison of Inside Safe to 41.18 is misplaced: Inside Safe is principally a housing placement program whereas 41.18 is an anti-encampment law that included an implementation policy in the form of the Attachment C, which provided essential services such as housing and shelter in the course of encampment removal. In fact, overlapping zones could exist where Inside Safe locations are designated under 41.18 (c), as could any encampment resolution program implemented in the City, so long as the requirements of the Ordinance are met.

Whereas some areas of the City may be better suited utilizing Inside Safe alongside policies that prioritize housing, other communities may benefit from the designation of specific sites as impermissible for obstruction. There is likely no single solution that will meet the needs of the entire City due to its diversity and size. Other programs such as Bridge Housing, Crisis and Incident Response through Community Led Engagement (CIRCLE), and Transitional Housing should all be utilized to service the unhoused population.

In aggregate, LAHSA placed approximately 17 percent of all engaged individuals into IH—and two individuals into permanent housing—which is similar to the rate of all housing efforts. LAHSA further communicated to our Office that the placement of roughly 17 percent of engaged individuals into housing is aligned with expectations. LAHSA involvement in every step of the Attachment C Street Engagement policy, then, does not result in any increased effectiveness in placing people in shelter or housing. However, not only were housing placements aligned with the system-wide average, but also individual repopulation was mostly effective: over 60 percent of individuals cleared from a location through 41.18 (c) operations did not return to their encampment of origin.

As noted above, EAFs were intended to be a core document submitted by LAHSA to Council District offices to aid in the identification, coordination, and cleanup of encampment sites. Soon thereafter, EAFs were later determined by the CAO to include information too sensitive for public consumption, thus precluding Council Offices or other team leads from using EAFs in their outreach plans. Attachment C should be revised to reflect the CAO's recommendations (C.F. 21-0329-S1) regarding EAFs, most notably that the engagement lead should no longer use the EAF as a foundational document to develop an outreach plan because it is confidential. An entity should be designated as the single coordinating party responsible for encampment site outreach. Personnel that are best suited to identify the diverse combination of needs required by constituents should be responsible for creating such a plan. If Council chooses, Attachment C could be revised to further emphasize the need to make a placement in IH or PH, rather than the current suggestion to simply offer shelter.

Attachment C could also be more effective if key components of the strategy are executed as initially intended. The overwhelming majority of sites allegedly saw repopulation, but those repopulation estimates have substantial measurement error because LAHSA or another entity was not instructed to utilize any standardized procedure to monitor these sites and respond to any repopulation activity. Another potential adjustment to Attachment C includes a different definition of repopulation than that utilized by LAHSA. As noted above, their definition of repopulation does not require an unhoused individual to be present at the site of its initial clearance; that client can return to a previously empty site at a later date and be counted as "repopulation." Further, the *amount* or *severity* of repopulation should be considered when evaluating the effectiveness of 41.18.

HETs are supposed to provide additional support to ensure voluntary compliance once removal has commenced, but this should be more rigorously performed to limit repopulation. Another important aspect of limiting repopulation in cleared sites is the maintenance of 41.18 signage, which should be examined with regularity to maintain visibility as needed.

If Council chooses, the following revisions could result in improved Attachment C program delivery:

1. Use unique identifiers for all encampment locations
2. Clearly define repopulation and develop data to properly measure repopulation
3. Designate a single coordinating lead for 41.18 (c) operations
4. Develop specific procedures to monitor sites
5. Establish process to ensure signage maintenance

Community Acceptance of an Intervention

Stakeholders interviewed by our Office from community organizations such as Los Angeles Community Action Network (LA-CAN), LA Family Housing, Venice Community Housing, and researchers at USC and UCLA were overwhelmingly critical of LAMC 41.18. Many argued that the designation of individual locations as impermissible for public camping were not only inhumane and placed an undue burden on a high acuity population, but also the displacement of encampments made service delivery more difficult to perform. Attachment C did not require an encampment removal to be accompanied by a concrete housing offer, so an expectation that a placement into IH or PH will occur is not consistent with the program solution. As such, many community stakeholders argue for either the termination, replacement, or more limited use of 41.18.

Stakeholders from the Lived Experience Advisory Board (LEAB) echoed this sentiment. In an interview with the LEAB on June 16, 2023, participants communicated to our Office that 41.18 had exacerbated the unhoused populations' relationship with police. Because the relationship between unhoused individuals and police is already tenuous is many locations, 41.18 has made it harder for these parties to communicate and form productive relationships. These difficulties have been further compounded by the fact that many individuals subject to 41.18 operations only become aware of an engagement from word of mouth or once LASAN has arrived at the location. LEAB participants also noted that the displacement of individuals enhances anxiety and adds unnecessary stress to a population already coping with a multitude of financial and mental health difficulties.

Although the LEAB was overwhelmingly critical of 41.18 because it purportedly places additional burdens on unhoused individuals, participants agreed that 41.18 had made City streets safer in certain instances.

Neighborhood Councils' Community Impact Statements (CIS) examined by our Office consisted of a diverse mixture of opinions regarding 41.18. CIS were submitted for many 41.18 resolutions, which can be viewed by examining the relevant Council File.

In a Community Impact Statement (CIS) transmitted to the Council on October 20, 2021 (C.F. 21-4118-S4), the Studio City Neighborhood Council voted unanimously in favor of designating four new locations under 41.18 (c). The Northwest San Pedro Neighborhood Council also urged the designation of new 41.18 zones due to large homeless traffic numbers and a recent "uptick in fires" from encampments in certain areas (C.F. 21-4118-S21).

In contrast, the Lincoln Heights Neighborhood Council strongly opposed the designation of new 41.18 sites, arguing that the sites designated in the resolution would lead to service disruptions for unhoused residents and further criminalize homelessness (C.F. 21-4118-S24). A recent communication from the North Westwood Neighborhood Council reiterates this sentiment, stating that 41.18 locations are "callous bans" that contribute to the "criminalization of homelessness" and represent poor policy.

Henry Flatt
Analyst

Attachments:

A. Amended Housing and Homelessness Committee Report
B. LAMC 41.18
C. Street Engagement and Management Procedures
D. LAHSA Transmittal to CLA

File No. 21-0329-S4

HOUSING AND HOMELESSNESS COMMITTEE REPORT relative to locations within the City covered by Los Angeles Municipal Code (LAMC) Section 41.18; and expenditures of City resources on LAMC 41.18; and housing provided through LAMC 41.18; and related matters.

Recommendation for Council action, as initiated by Motion (Yaroslavsky – Price):

INSTRUCT the Chief Legislative Analyst (CLA), in coordination with the Los Angeles Homeless Services Authority (LAHSA), and other relevant City departments, including but not limited to, the City Administrative Officer (CAO), the Los Angeles Police Department (LAPD), the City Attorney, the Bureau of Sanitation, the Bureau of Streets Services, and with requested input from homeless service providers, the Los Angeles County Homeless Initiative and the LAHSA Lived Experience Advisory Board, to report within 60 days on:

a. A list and map of all locations within the City currently covered by LAMC 41.18a-e.

b. Total expenditures of City resources on LAMC 41.18 implementation, including but not limited to LAMC 41.18 sign installation, LAPD overtime hours, CAO staff allocation and funding directed to LAHSA and other service providers for LAMC 41.18-driven outreach.

c. An analysis of the effectiveness of the "Street Engagement and Management" procedures as stipulated in Attachment C dated September 2, 2021, attached to Council file No. 21-0329.

d. The housing typology and referrals offered through the Streets Engagement Strategy to individuals prior to LAMC 41.18 designation, up to 6 weeks prior, and the breakdown of interim versus permanent housing.

e. The rate of individuals accepting housing.

f. The average duration of individuals being housed in both interim and permanent housing and the number of people still housed today that were provided housing through LAMC 41.18-driven engagement.

g. The demographics of individuals placed in housing, including but not limited to race, gender, systems-involvement, and incidence of serious mental illness and substance use disorder.

h. The rate and extent of repopulation in areas covered by LAMC 41.18.

i. The number of citations issued by the LAPD related to LAMC 41.18 enforcement.

j. Impact on public safety.

k. Impact to passage of critical corridors and Americans with Disabilities Act access.

l. Community acceptance of an intervention.

Fiscal Impact Statement: Neither the CAO nor the CLA has completed a financial analysis of this report.

Community Impact Statement: None submitted

SUMMARY

At the meeting held on March 15, 2023, your Housing and Homelessness Committee considered a Motion (Yaroslavsky – Price) relative to locations within the City covered by LAMC Section 41.18; and

expenditures of City resources on LAMC 41.18; and housing provided through LAMC 41.18; and related matters.

After an opportunity for public comment was held, the Committee moved to approve the recommendation contained in the Motion, as detailed above, as amended. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

HOUSING AND HOMELESSNESS COMMITTEE

MEMBER	VOTE
RAMAN:	YES
BLUMENFIELD:	YES
HARRIS-DAWSON:	YES
RODRIGUEZ:	YES
LEE:	YES

LV 3.15.23

-NOT OFFICIAL UNTIL COUNCIL ACTS-

ATTACHMENT A

02A

Motion

I MOVE that the matter of the Housing and Homelessness Committee Report relative to a Motion (Yaroslavsky - Price) with instructions to report on locations within the City covered by Los Angeles Municipal Code (LAMC) Section 41.18, expenditures of City resources on LAMC 41.18, housing provided through LAMC 41.18, and related matters, Item No. 2 on today's Council Agenda (C.F.: 21-0329-S4), **BE AMENDED** to:

1. Approve the following recommendations in lieu of recommendations d) in the Committee Report:

   d) The housing typology and referrals offered through the Streets Engagement Strategy to individuals prior to LAMC 41.18 enforcement and the breakdown of interim versus permanent housing.

2. Add a new recommendation:
   m) Offers of housing and referrals up to 6 weeks prior to 41.18 designation.

PRESENTED BY: _____
KATY YAROSLAVSKY
Councilwoman, 5th District

SECONDED BY: _____

ORIGINAL

April 12, 2023

SEC. 41.18. SITTING, LYING, OR SLEEPING OR STORING, USING, MAINTAINING, OR PLACING PERSONAL PROPERTY IN THE PUBLIC RIGHT-OF-WAY.

(Title and Section amended by Ord. No. 187,127, Eff. 9/3/21.)

(a) No person shall obstruct a street, sidewalk, or other public right-of-way:

(1) by sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property, in a manner that impedes passage, as provided by the Americans with Disabilities Act of 1990, Pub. L, No. 101-336, 104 Stat. 328 (1990), as amended from time to time;

(2) by sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property, within ten feet of any operational or utilizable driveway or loading dock;

(3) by sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property, within five feet of any operational or utilizable building entrance or exit;

(4) by sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property, within two feet of any fire hydrant, fire plug, or other fire department connection;

(5) by sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property, within the public right-of-way in a manner that obstructs or unreasonably interferes with the use of the right-of-way for any activity for which the City has issued a permit.

(b) No person shall obstruct any portion of any street or other public right-of-way open to use by motor vehicles, or any portion of a bike lane, bike path, or other public right-of-way open to use by bicycles, by sitting, lying, or sleeping, or by storing, using, maintaining, or placing personal property, anywhere within the street, bike lane, bike path, or other public right-of-way, as specified.

(c) Except as limited by Subsection (d), no person shall:

(1) sit, lie, sleep, or store, use, maintain, or place personal property, in or upon any street, sidewalk, or other public right-of-way within the distance stated on the posted signage (up to a maximum of 500 feet) of a property designated as a sensitive use. For a property to be designated as a "sensitive use", the property must be a Public Park, or Public Library, as those terms are defined in Section 105.01 of this Code; **(Amended by Ord. No. 187,586, Eff. 9/18/22.)**

(2) sit, lie, sleep, or store, use, maintain, or place personal property, in or upon any street, sidewalk, or other public right-of-way within the distance stated on the posted signage (up to a maximum of 500 feet) of a designated overpass, underpass, freeway ramp, tunnel, bridge, pedestrian bridge, subway, wash, spreading ground, or active railway, where the City Council determines, in the designating resolution, that the public health, safety, or welfare is served by the prohibition, including, without limitation, by finding that sleeping or lodging within the stated proximity to the designated area is unhealthy, unsafe, or incompatible with safe passage;

(3) sit, lie, sleep, or store, use, maintain, or place personal property, in or upon any street, sidewalk, or other public right-of-way, within the distance stated on the posted signage (up to a maximum of 1,000 feet) of a designated facility, opened after January 1, 2018, that provides shelter, safe sleeping, or safe parking to homeless persons, or that serves as a homeless services navigation center;

(4) sit, lie, sleep, or store, use, maintain, or place personal property, in or upon any street, sidewalk, or other public right-of-way that has been posted with signage prohibiting sitting, lying, sleeping, or storing, using, maintaining, or placing personal property. In order to designate a section of street, sidewalk, or other public right-of-way as prohibited under this subdivision, the City Council shall determine, in a designating resolution and based on specific documentation, that the circumstances of continued sitting, sleeping, lying, storing personal property, or otherwise obstructing the public right-of-way at that location poses a particular and ongoing threat to public health or safety. Such circumstances may include, but are not limited to: (i) the death or serious bodily injury of any person at the location due to a hazardous condition; (ii) repeated serious or violent crimes, including human trafficking, at the location; or (iii) the occurrence of fires that resulted in a fire department response to the location. For each such location, a prohibition pursuant to this subdivision shall be effective for a period of time specified in the resolution, but not to exceed one year.

(d) No person shall be found to be in violation of any prohibition set forth in Subsection (c), unless and until: (i) the City Council has taken action, by resolution, to designate a specified area or areas for enforcement against sitting, lying, sleeping, or storing, using, maintaining, or placing personal property, or otherwise obstructing the public right-of-way; (ii) the City has posted signage at the designated area or areas set forth in the resolution, with such signage including reference to any required findings adopted in the resolution, and giving notice of the date after which no sitting, lying, sleeping, or storing, using, maintaining, or placing personal property, or otherwise obstructing the public right-of-way will be allowed; and (iii) at least 14 calendar days have passed from the date on which the signage is posted at the designated area or areas.

(e) No person shall sit, lie, sleep, or store, use, maintain, or place personal property, in or upon any street, sidewalk, or other public property within 500 feet of a School or Day Care Center as those terms are defined in Section 105.01 of this Code. A violation of this subsection is governed by Section 41.18(f) of this Code. **(Added by Ord. No. 187,586, Eff. 9/18/22.)**

(f) Violations of this section involving a person who willfully resists, delays, or obstructs a City employee from enforcing this section or who willfully refuses to comply after being requested to do so by an authorized City employee shall be subject to the penalties set forth in Los Angeles Municipal Code (LAMC) Section 11.00. All other violations of this section shall be enforceable only as infractions pursuant to LAMC 11.00(m) or issuance of a citation pursuant to City's Administrative Citation Enforcement Program pursuant to LAMC Section 11.2.01 *et seq*.

Street Engagement and Management

Steps	Tasks	Responsible Party/Entity/Comments
1. Council Member introduces Resolution a to implement 41.18 c.1-4 and d	• Councilmember introduces a resolution for LAMC Section 41.18, c. 1-4 and d. implementation for encamped sites. Where required by ordinance, findings and appropriate documentation will be made available regarding the location. Unified Homeless Response Center (UHRC)/City Administrative Officer (CAO) informs the Los Angeles Homeless Services Authority (LAHSA) Homeless Engagement Team (HET)/Multi-disciplinary Teams (MDT) and Sanitation Outreach on resolution introduction. • LAHSA HET/MDT coordinates with UHRC/CAO to complete the Encampment Assessment Form (EAF) and submits to resolution Council File and provides copies to Council Office and UHRC/CAO. • EAF includes encampment information, including population description, behavior/activity/health issues/concerns, immediate needs (debris and hazardous waste removal, hygiene, COVID-19 testing/vaccinations). • HET/MDT coordinates with Council Office and UHRC/CAO with appropriate City and County departments on immediate needs. • HET/MDT and Sanitation Outreach coordinates with Council Office and UHRC/CAO on providing immediate cleaning and hygiene services. • Council Office determines the engagement lead.	Council Member UHRC/CAO LAHSA HET/CES outreach coordinator/ MDTs Sanitation Outreach
2. Engagement: Council Office/LAHSA/LEAD identifies housing and other resources/ Outreach begins/ HETs/LASAN	• Lead and LAHSA/MDT, in coordination with the Council Office and UHRC/CAO, begin to identify housing and other services and resources. • Lead works with Coordinated Entry System (CES) outreach coordinator to identify potential housing opportunities and local community based organizations. • Lead/Team develops outreach plan based in EAF and works with Sanitation Outreach to develop a street engagement and hygiene plan. • Coordinated Entry System (CES) assessment for all dwellers present, when possible. • HETs identifies persons with mental and other health needs and contact SPA Coordinator for County MDT support. • The MDT initiates support and service for identified encampment dwellers. • Based on EAF, an engagement timeframe is established and communicated with Council Office and UHRC/CAO. • At any time during the engagement period, LAHSA/MDT/lead will communicate with UHRC/CAO if additional City resources are needed. Note: LAHSA/Sanitation/Lead may request a LAPD escort to an encampment or homeless activity location at any time during the engagement and cleaning effort.	Council Office Lead LAHSA CES outreach coordinator LAHSA HET MDTs Sanitation Outreach UHRC/CAO

3. Data and Reporting	• The engagement lead will provide daily reports that provide data on specific services offered and accepted, and the number of housing placements. • At the end of the engagement: ○ Final after-action report outlining final data on housing placements and services provided.	Council Office Lead UHRC/CAO LAHSA HET
4. Engagement Completion/Final Clean up	• Lead coordinates with the engagement team of final engagement/choice date. • Final clean-up date is confirmed with LASAN and Sanitation Outreach is present on final day • The Council Office recommends whether site should be fenced etc. If a barrier is suggested for the site, the CAO coordinates with the Council Office and appropriate City Departments on fencing or other type of barrier. • Lead submits the final after action report two-weeks after final clean up to UHRC/CAO • Signage is installed by City department on first day following the 14 day period.	Council Office Lead LASAN Sanitation Outreach UHRC/CAO Other City Departments LAHSA HET
5. Maintenance	• Once a site is cleared, the LAHSA HETs will continue to check the site, and provide additional outreach if necessary. HETs will notify LASAN of additional clean-up needed at the site.	Council Office Lead LAHSA HET LASAN
6. Resolution and Posting (LAMC Section 41.18 c.1-4 and d)	• Once the resolution is approved, the City will post signage at the designated area or areas set forth in the resolution, giving notice of the date after which sitting, lying, sleeping, or storing, etc., will not be allowed. • UHRC/CAO will work with City department on posting.	Council Office LAHSA UHRC/CAO
7. Compliance (LAMC Section 41.18 c.1-4 and d)	• LAHSA HETs start check-in on sites 14 days after posting. If PEH have moved to the site in violation of the Posting, the HETs should provide additional outreach to support voluntary compliance.	Council Office LAHSA HET LASAN

Note: These procedures apply to the City of Los Angeles' implementation of LAMC Section 41.18 c.1-4 and d, if sites are encamped.

LAHSA
LOS ANGELES HOMELESS SERVICES AUTHORITY

707 Wilshire Blvd., 10th Floor
Los Angeles, CA 90017
Ph: 213 683.3333
Fax: 213 892.0093
TTY: 213 553.8488
www.lahsa.org

MEMO

To: Henry Flatt, Office of the Chief Legislative Analyst

From: Paul Rubenstein, Deputy Chief External Relations Officer, LAHSA

Date: November 28, 2023

CC: John Wickham, Office of the Chief Legislative Analyst

Re: Los Angeles Municipal Code Section 41.18 Effectiveness Report (21-0329-S4)

Summary

This report highlights key findings by LAHSA when analyzing the effectiveness of 41.18 interventions. This analysis was performed as requested by the Los Angeles City Council under Council File 21-0329-S4 approved in April 2023. Effectiveness in this context refers to the initiative's ability to house individuals residing in designated encampments and limit repopulation. The sections below align generally with the data tabs in the accompanying data report. For more detailed information on each metric, you can refer to the data dictionary tab in the data report.

The main data source for this report is the Homeless Management Information System (HMIS). All clients, services, current living situations, and enrollments are pulled directly from HMIS. Resolutions, introduced by Council Districts, that designate 41.18 zones are approved by the Los Angeles City Council, which is then flagged to the CAO. The CAO then takes this information and generates GIS shape files. LAHSA uses these shape files to filter for 41.18 specific activity, the official data map can be found here.

The CAO Location Tracker provided to LAHSA was used for defining signs' posted periods, the period between an area being declared a 41.18 zone and the date the ordinance came into effect. This period, generally 14 days, is the time street outreach teams are allotted to engage and deliver services to clients residing in the area with the goal of connecting them to interim housing, subject to availability. LAHSA used the shape files to overlay that data with HMIS geolocated services that occurred during signs posted periods to determine 41.18 client and outreach activity.

LAHSA's analysis found the 41.18 interventions between December 2021 and November 2023 were generally ineffective in permanently housing individuals. Most individuals impacted by 41.18 operations had already been actively searching for housing with an outreach worker. Clients were connected to housing during the sign posted period at a rate almost identical to the overall system average. Those that were connected to interim housing were also unlikely to experience successful outcomes. Most encampments saw client repopulations within a year. Lastly, general data quality issues that began during a rushed roll-out process made accurate reporting difficult. In general, the framework of 41.18 falls short of more effective encampment resolution efforts, such as Inside Safe or other Encampment-to-Home initiatives.

LAHSA
LOS ANGELES HOMELESS SERVICES AUTHORITY

707 Wilshire Blvd., 10th Floor
Los Angeles, CA 90017
Ph: 213 683.3333
Fax: 213 892.0093
TTY: 213 553.8488
www.lahsa.org

MEMO

Data Quality

The overall data quality surrounding reporting on 41.18 is low when compared to other encampment resolution initiatives, such as Inside Safe, as 41.18 does not have any funded components for services or interim housing. There was also no formal request in the ordinance language or accompanying street engagement strategy that requested City Departments or LAHSA to develop universal tracking standards. To accurately track activity from initiatives not set up with an HMIS program ID, proper data infrastructure must be established before deployment. In the case of 41.18, encampment resolutions began late in 2021 before tracking design and testing were possible. This landscape abbreviated infrastructure development and led to a prolonged delay in official reporting from LAHSA's Data Management team.

At the time of this report, 240 encampments have signs posted dates. Of that set, only 174 encampments had recorded current living situations (CLS) or service activity during the signs posted period. This limits the number of encampments we were able to report on properly. This discrepancy may be caused by either bad or non-existent geolocation tracking by groups on the ground or the outreach efforts that occurred before or after the signs posted dates thus not making it into the reported data.

Recommendation: LAHSA recommends that it be heavily involved in the development of homeless policy design, especially as it relates to data capturing and quality, early enough to establish reporting mechanisms before the official program initiates. Depending on the scope of the project, this may require cooperation a minimum of three months in advance.

One result of the rushed manner in which the ordinance was implemented was the lack of proper client/encampment designation within LAHSA's system. The use of CLS and geolocated services is generally used to tie client interactions to encampments. However, in the case of 41.18, the two-week period outreach workers are given to find housing, if available, for clients combined with concurrent signs posted periods, created a more difficult environment for proper recording of geolocations. The nature of field interactions in high-profile encampment areas is such that verifying whether a client interaction is the direct result of a 41.18 intervention, or a more general outreach interaction, is impossible. For the purposes of transparent reporting, all interactions recorded in 41.18 zones during the signs posted period are assumed to be 41.18 interactions. There are certainly clients that could not be properly reported on due to these complications.

Recommendation: Inside Safe and Pathway Home use client rosters that are later uploaded to HMIS to properly designate clients to their given encampment. This is done well in advance of any operations taking place. Any individuals found in the 41.18 zone that are not on the client roster, would then be removed from the original cohort for higher quality reporting. LAHSA recommends this practice for all encampment resolution initiatives.

The final data quality piece we will address is with respect to proper data tracking between the City and LAHSA. Council Districts designate 41.18 zones and request signage from the CAO, which creates the signage. The data from the CAO includes the shape files for each zone and the location tracker with the

LAHSA
LOS ANGELES HOMELESS SERVICES AUTHORITY
707 Wilshire Blvd., 10th Floor
Los Angeles, CA 90017
Ph: 213 683.3333
Fax: 213 892.0093
TTY: 213 553.8488
www.lahsa.org

MEMO

data of the posted signage date. These files were shared separately without proper indicators for linking the information together.

Recommendation: When information needs to be stored in separate data files, best data practice requires unique identifiers be included in all files for easy joining. In this case, the file with shape data must have an identifier for each encampment that matches up with the file containing signs' posted dates. An example of a unique identifier could be a number or random string (ex. 1W28TJ) so long as it is unique to each encampment and remains unchanged once it is generated. Manually entered data records like names or addresses are not generally reliable in datasets with 100+ records. Such a unique identifier should be used among all City Departments that are involved in 41.18 operations, including the CAO and LASAN.

Recommendation: A barrier that impacts data quality is proper notification to LAHSA of sign-posting dates. Establishing protocols for sign posting notifications among key partners, including LAHSA, will improve documentation of CLS and geolocations, thereby improving our ability to report on outreach activities. Outreach teams are tasked, within the Street Engagement Strategy, with providing services and available resources to those experiencing homelessness residing in 41.18 zones yet little notice is given to LAHSA teams to adequately plan for outreach activities to be triggered.

Client Populations

41.18 clients are defined as clients with either a current living situation (CLS) or a geotagged service received inside the given 41.18 encampments during the signs posted period. The client populations tab in the attached 41.18 data report designates each client to one encampment based on their first outreach interaction during a sign's posted period. This choice to designate each client to one encampment did not affect most clients; only about 1 in 5 (18.5%) 41.18 clients recorded a 41.18 interaction in multiple encampments. With this framing, the median number of clients per encampment was 5.5. That number increases to 6 when allowing clients to be designated to multiple encampments. The average number of clients per encampment is much higher (~10.67), which tells us most encampments had single-digit clients while a few large outlier encampments increased the average.

A key question we looked to answer with this analysis was client participation. We found that 93.5% of 41.18 clients tagged in an encampment were enrolled in Street Outreach and engaged during the signs posted period. This means that a significant majority of individuals were actively working with their outreach workers to find housing before the 41.18 ordinance came into effect. It is worth noting that without proper tracking, we cannot verify if there were clients residing in the area who did not directly interact with outreach workers. This would be resolved by developing protocols that require client rosters.

41.18 enforcement was likely not the first interaction with the homeless services system for most individuals. We found that 66.0% of all 41.18 clients had been enrolled and engaged at least a month before their respective encampment's signs were posted. Only 17.6% of clients enrolled in a street outreach program for the first time during their 41.18 signs posted period. As many people are already

LAHSA
LOS ANGELES HOMELESS SERVICES AUTHORITY
707 Wilshire Blvd., 10th Floor
Los Angeles, CA 90017
Ph: 213 683.3333
Fax: 213 892.0093
TTY: 213 553.8488
www.lahsa.org

MEMO

engaging with services, encampment clearings can disrupt their service pathway. Clients may move away from the location and providers may lose contact after clients are displaced. Clients may also become distrustful of providers and refuse services after being forced to move from their current location. Encampment clearings can lead to a loss of ID and documentation that are crucial for ongoing services and eventual housing.

Housing Placements

When analyzing the effectiveness of 41.18, our scope is limited to street outreach exits and interim housing placements as the program did not have permanent housing resources allocated for clients. It is important to note that the law, as written, made no allocations or requirements for additional housing resources to be available prior to or during any enforcement operation. However, Council Districts do often make requests to reserve interim housing beds in their districts, upon availability, for those within a 41.18 encampment resolution initiative, like A Bridge Home or Tiny Home Village. Only two clients exited their street outreach program to permanent housing. This is not unusual, as street outreach exits to permanent housing are historically rare regardless of program. This meant that those who were effectively housed before being displaced were almost exclusively moved to interim housing.

LAHSA found that 16.9% of 41.18 clients were placed into interim housing before their encampment clearing. This finding is directly in line with expectations. According to LAHSA's system KPIs, 17% of street outreach clients were connected to interim housing each of the last two fiscal years. The median length of stay for 41.18 clients who were placed into interim housing was 53 days. This data shows that without dedicated housing resources, it is difficult to move people from encampments to interim and permanent housing.

Of those placed into interim housing, 54.6% either exited to a place not meant for habitation or exited to an unknown destination (i.e., an exit interview was not conducted, or the exit destination could not be collected). This means that of all 41.18 clients whose outcomes we analyzed, 92.2% either did not receive housing before being displaced, exited their IH placement back to the streets, or are unaccounted for.

Repopulation

For the purposes of this report, repopulation is defined as recorded services or CLS in a given encampment by a 41.18 client at least 14 days after the effective sign date. Most repopulations, however, occurred over a larger timeline than 14 days. The median number of days to repopulation was 157. The average number of days to repopulation was 342.

Before 41.18 operations, LAHSA outreached to people experiencing homelessness living in the encampment to provide them housing options, if available. After 41.18 operations, LAHSA outreach teams will periodically visit the area, as outlined in the Street Engagement Strategy, especially if it has been populated for a long time. LAHSA teams continue to maintain contact, where possible, with individuals who might not have accepted housing options before the operation and continue working with them to

LAHSA
LOS ANGELES HOMELESS SERVICES AUTHORITY

707 Wilshire Blvd., 10th Floor
Los Angeles, CA 90017
Ph: 213 683.3333
Fax: 213 892.0093
TTY: 213 553.8488
www.lahsa.org

MEMO

get placed in shelters. It is of note that some of these repopulations are an indication that signs' posted dates were not enforced. Better tracking of enforcement would allow us to analyze the likelihood of repopulation in encampments that we could confirm were cleared out.

With the available data, we found that 81% of encampments saw a repopulation from a client previously designated there, and 77% of encampments saw a repopulation from another encampment. These numbers indicate that 41.18 encampments were likely to see repopulation within a calendar year. This, in conjunction with poor data quality and the low likelihood of 41.18 clients finding sustainable housing, renders the current way that 41.18 initiatives are conducted relatively ineffective.