



SANTA CRUZ COUNTY OFFICE OF THE
PUBLIC DEFENDER

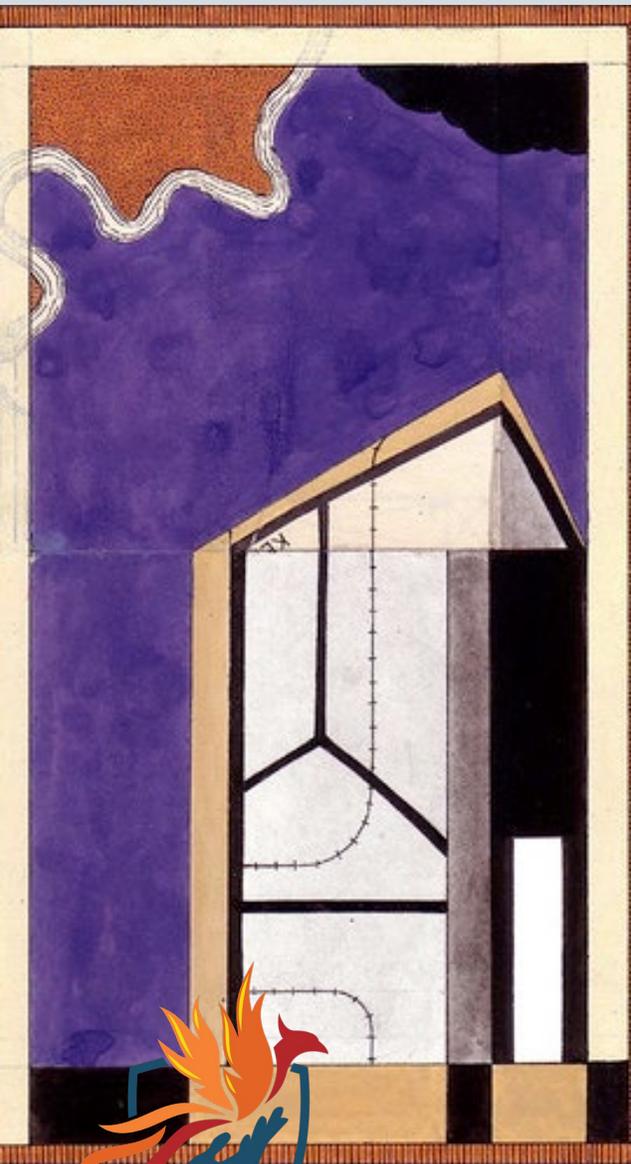
Courage. Compassion. Community.

Homes, Not Handcuffs: A Public Defender's
Perspective on Ending the Cycle of Homelessness &
Incarceration in Santa Cruz County

Heather Rogers | Public Defender

Youth Homeless Demonstration Project (YHDP) Collaborative

September 11, 2024





TOTAL PERSONS EXPERIENCING HOMELESSNESS

1,850



20%
Sheltered
n=365



80%
Unsheltered
n=1,485

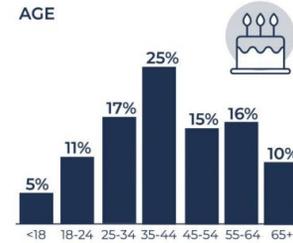
TOTAL PERSONS EXPERIENCING HOMELESSNESS



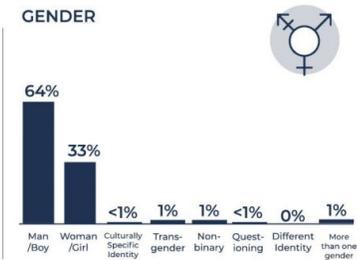


DEMOGRAPHICS

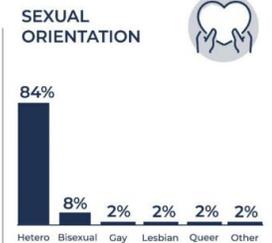
AGE



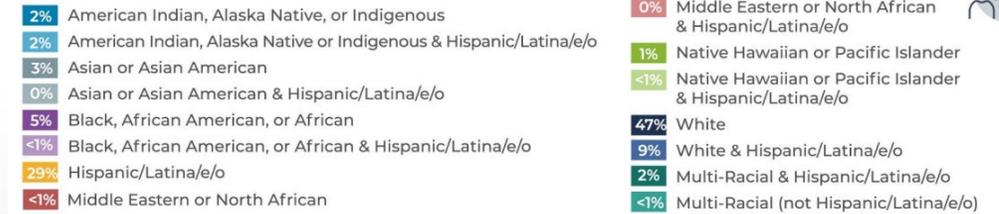
GENDER



SEXUAL ORIENTATION



RACE/ ETHNICITY



FAMILIES



TOTAL PERSONS IN FAMILIES EXPERIENCING HOMELESSNESS



UNACCOMPANIED CHILDREN + TAY



TOTAL UNACCOMPANIED CHILDREN AND TRANSITION AGE YOUTH



FOSTER CARE

16%

of survey respondents have foster care involvement



SELF-REPORTED HEALTH [▫]

Current health conditions that may affect the housing stability or employment of those experiencing homelessness.

**SUBSTANCE
USE
DISORDER**



46%

of survey respondents report having a substance use disorder

**PSYCHIATRIC
OR EMOTIONAL
CONDITIONS**



37%

of survey respondents report having a psychiatric or emotional condition

PTSD



33%

of survey respondents report having Post Traumatic Stress Disorder

**PHYSICAL
DISABILITY**



29%

of survey respondents report having a physical disability

**CHRONIC
HEALTH
CONDITION**



28%

of survey respondents report having a chronic health condition

**TRAUMATIC
BRAIN
INJURY**



13%

of survey respondents report having had a TBI

**HIV/AIDS
RELATED
ILLNESS**



4%

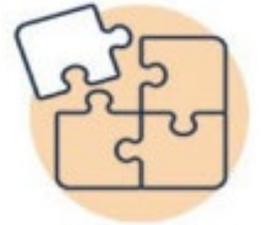
of survey respondents report having an HIV/AIDS related illness





PRIMARY CONDITION THAT LEAD TO HOMELESSNESS*

(Top 5 Responses)



36%

Lost Job

29%

Eviction

22%

Substance Use Disorder

15%

Divorce/Separation /Breakup

15%

Family/ Domestic Violence





EMPLOYMENT STATUS

26%

of survey respondents had
some form of employment



UNC CHARLOTTE STUDY FINDS SUCCESS IN CHARLOTTE-MECKLENBURG'S EFFORTS TO END HOMELESSNESS

NEWS

▾ News and Features

UNC Charlotte study finds success in Charlotte-Mecklenburg's efforts to end homelessness

Faculty Spotlights

Student Spotlights

Research

Newsletter Archives





JUSTICE SYSTEM INVOLVED



24%

of survey respondents spent one or more nights in jail/prison/juvenile hall in the past year.

16%

of survey respondents reported being on probation/parole at the start of their most recent episode of homelessness





FOR PUBLICATION

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

ROBERT MARTIN; LAWRENCE LEE
SMITH; ROBERT ANDERSON; JANET
F. BELL; PAMELA S. HAWKES; and
BASIL E. HUMPHREY,
Plaintiffs-Appellants,

v.

CITY OF BOISE,
Defendant-Appellee.

No. 15-35845

D.C. No.
1:09-cv-00540-
REB

OPINION

Appeal from the United States District Court
for the District of Idaho
Ronald E. Bush, Chief Magistrate Judge, Presiding

Argued and Submitted July 13, 2017
Portland, Oregon

Filed September 4, 2018

Before: Marsha S. Berzon, Paul J. Watford,
and John B. Owens, Circuit Judges.

Opinion by Judge Berzon;
Partial Concurrence and Partial Dissent by Judge Owens



Los Angeles Times



CALIFORNIA

Supreme Court decision on homeless case is a blow to cities wanting more policing powers



Francisco Aldama, 30, left, hid himself in a fellow homeless man's tent, where they live with about 25 others underneath the 405 Freeway on Venice Boulevard in Los Angeles. (Gerson Mofina/Los Angeles Times)

SUBSCRIBERS ARE READING >

LIFESTYLE

Your favorite Disneyland ride is ... not what we
picked as No. 1

BUSINESS

L.A., Long Beach port disruptions continue amid
tough contract talks

COMPANY TOWN

Directors Guild reaches deal on a new contract
with the studios

POLITICS

How California, land of Nixon and Reagan,
turned blue and changed American politics

BUSINESS

With high food prices, grocery shopping has
become a strategy game. Angelenos share how
they get by

ADVERTISEMENT

Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

Syllabus

CITY OF GRANTS PASS, OREGON *v.* JOHNSON ET AL.,
ON BEHALF OF THEMSELVES AND ALL OTHERS
SIMILARLY SITUATED

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR
THE NINTH CIRCUIT

No. 23–175. Argued April 22, 2024—Decided June 28, 2024

Grants Pass, Oregon, is home to roughly 38,000 people, about 600 of whom are estimated to experience homelessness on a given day. Like many local governments across the Nation, Grants Pass has public-camping laws that restrict encampments on public property. The Grants Pass Municipal Code prohibits activities such as camping on public property or parking overnight in the city’s parks. See §§5.61.030, 6.46.090(A)–(B). Initial violations can trigger a fine, while multiple violations can result in imprisonment. In a prior decision, *Martin v. Boise*, the Ninth Circuit held that the Eighth Amendment’s Cruel and Unusual Punishments Clause bars cities from enforcing public-camping ordinances like these against homeless individuals whenever the number of homeless individuals in a jurisdiction exceeds the number of “practically available” shelter beds. 920 F. 3d 584, 617. After *Martin*, suits against Western cities like Grants Pass proliferated.



OPINION FROM COMMUNITY VOICES

The Supreme Court’s Grants Pass decision is a setback for the unhoused in Santa Cruz County



BY JOY SCHENDELEDECKER

July 25, 2024



PUBLIC SAFETY

Santa Cruz law would prohibit unsanctioned drop-offs

Police officers drove hours to deliver woman to local shelter



SANTA CRUZ CITY COUNCIL'S CRUEL CAMPING BAN CRIMINALIZES—AND PERPETUATES—HOUSELESSNESS

WESTSIDE CARES - 07.10.2021

SHARE  

As research and historical evidence shows, anti-homeless ordinances like Santa Cruz's recently passed Camping Services and Standards Ordinance not only don't work, they lead to further cycles of violence, more entrenched houselessness, and increases in police budgets and city legal expenses in fighting lawsuits—all in the interests of gentrification and real estate development.

Santa Cruz City Council's 6/8/21 decision to pass the Camping Services and Standards Ordinance (CSSO) falls in line with a long legacy of council members who have ignored research and expert opinion in favor of passing anti-homeless legislation with the goal of sanitizing Santa Cruz for increased gentrification.





There comes a point where we need to stop just pulling people out of the river. We need to go upstream and find out why they're falling in.
– *Archbishop Desmond Tutu*





ZEALOUS
ADVOCACY +
HOLISTIC REP +
COMMUNITY
ENGAGEMENT



INTERDISCIPLINARY
DEFENSE TEAMS



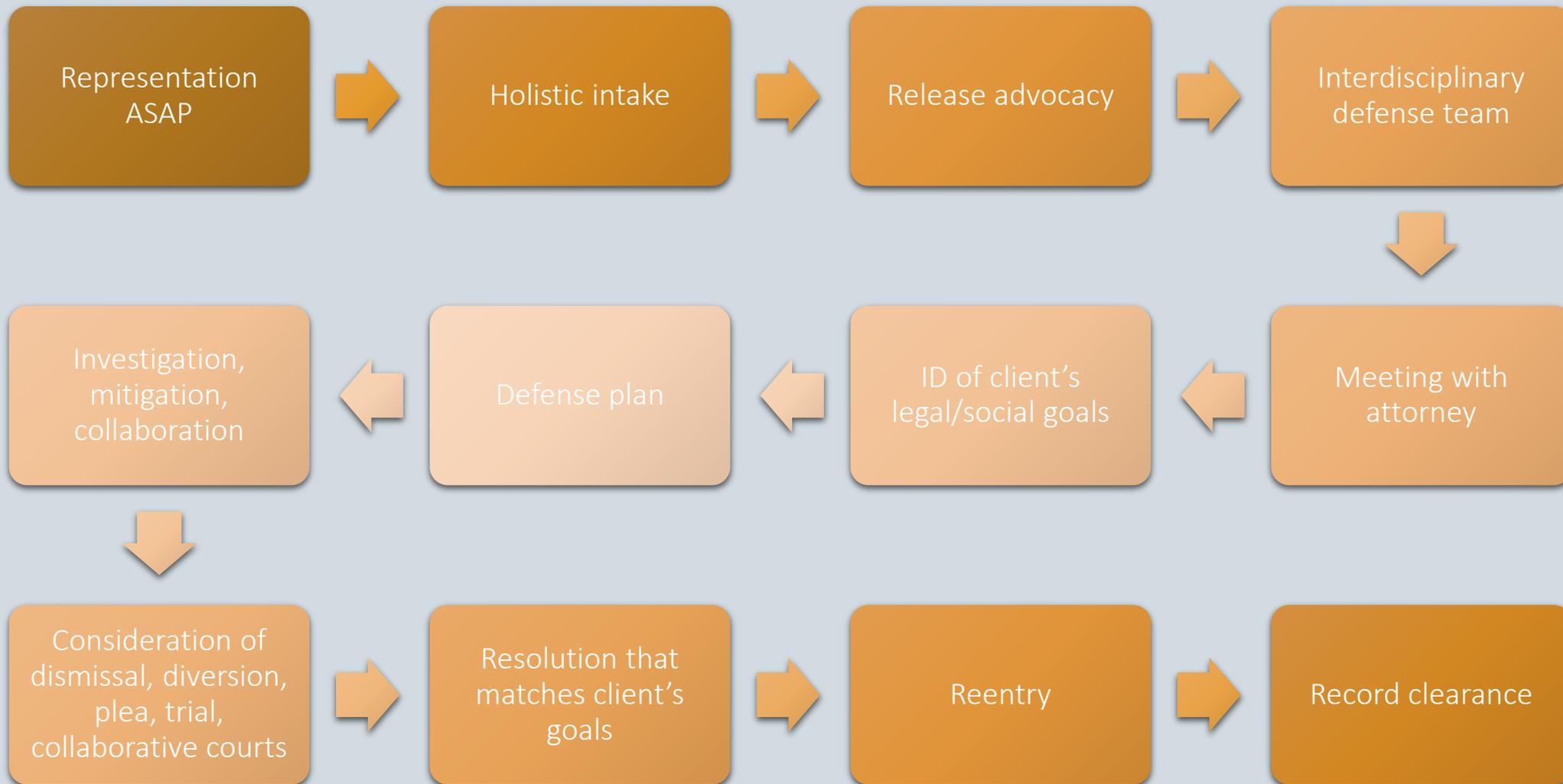
ASSESS & ADDRESS
ROOT CAUSES

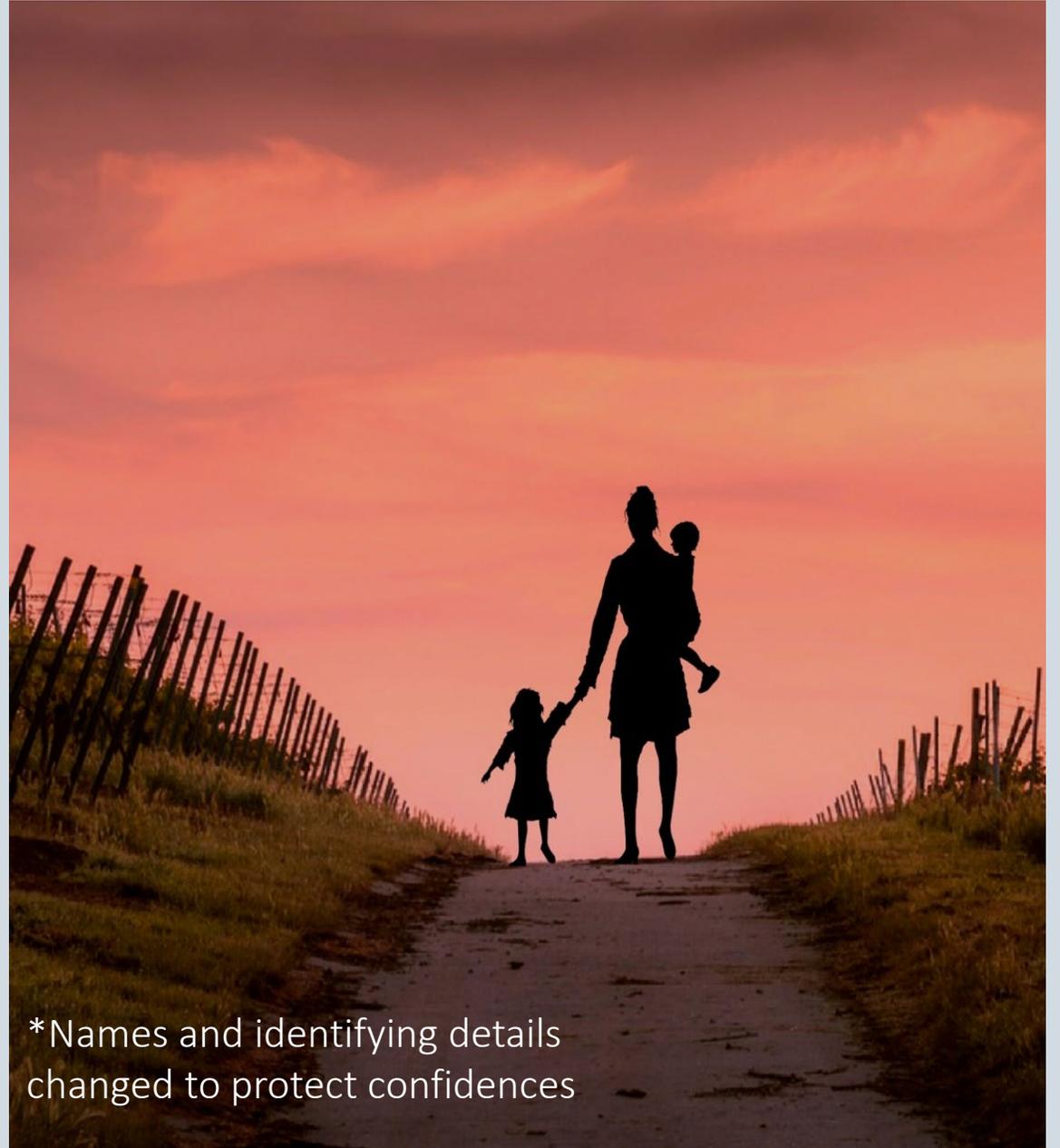


COMMUNITY-BASED
RESOURCES,
REHABILITATION &
REENTRY



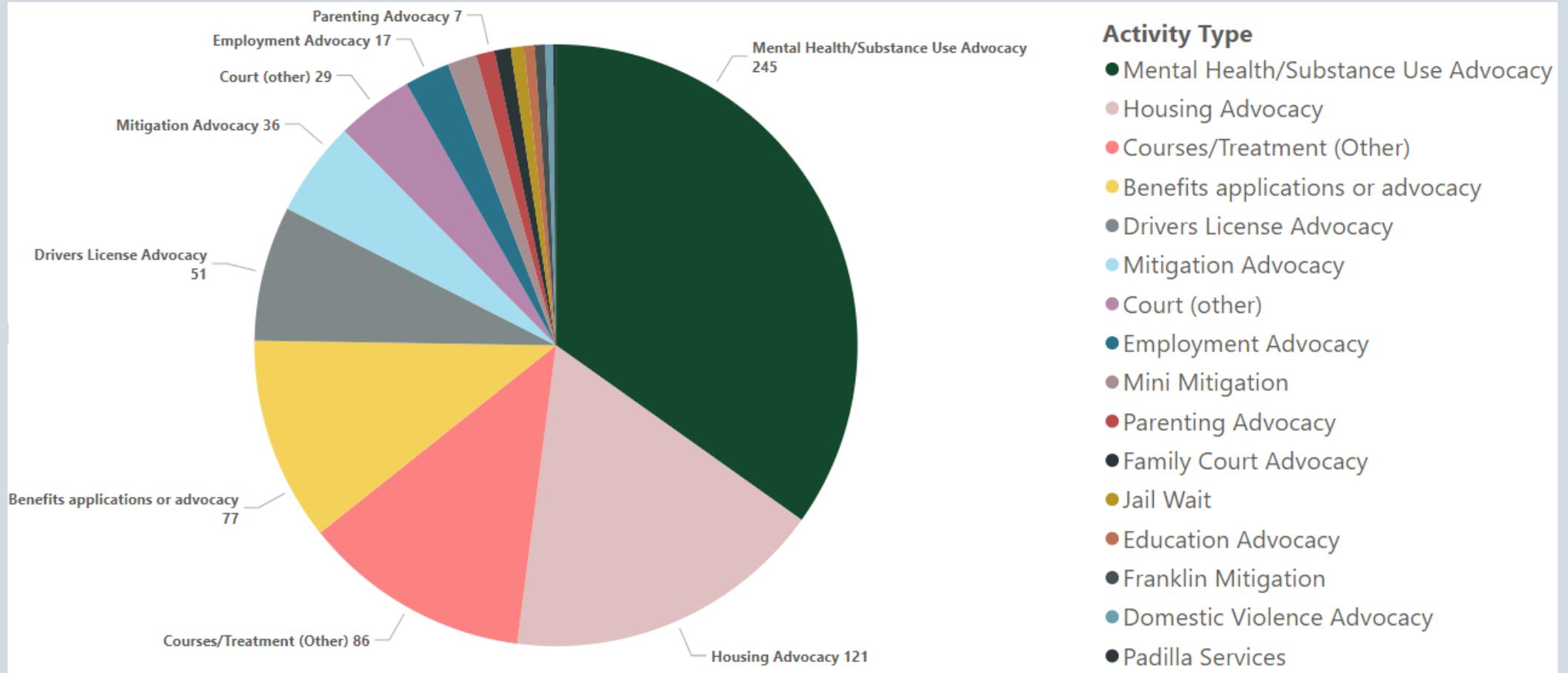
Community-Based Whole Person Defense





*Names and identifying details changed to protect confidences

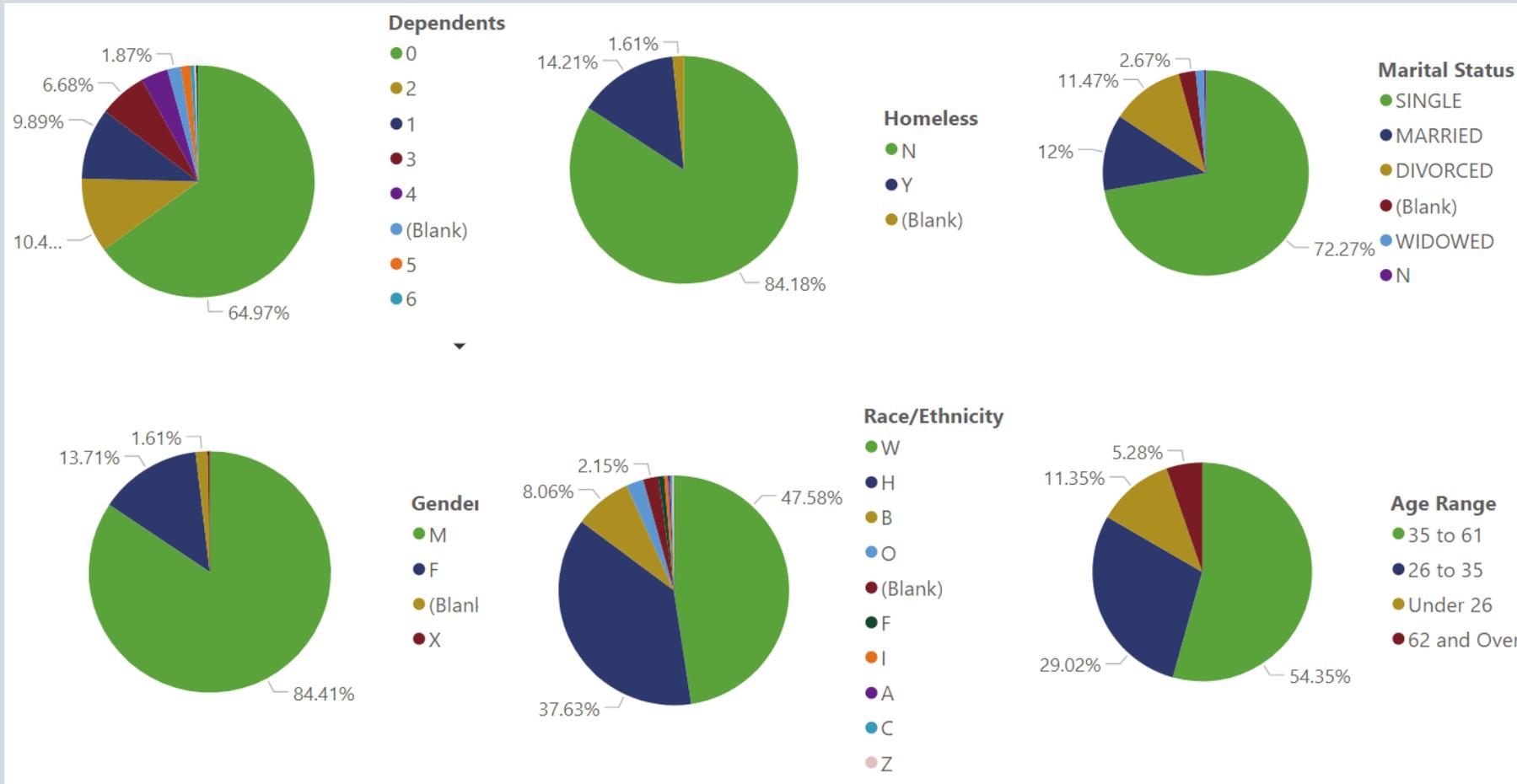
Holistic Defense Meets Complex Needs



Early Representation



Early Representation Promotes Justice



Restorative Justice





Juvenile Justice

Holistic defense

Social worker

CASA

Diversion

Community support

Reentry

Specialty Courts

Veteran Court

Parole Reentry Court

Behavioral Health Court

Conservatorships

PACT

CARE Court



VETERANS COURT GRADUATION



This Photo by Unknown Author is licensed under [CC BY-ND](https://creativecommons.org/licenses/by-nd/4.0/)



T.R.U.T.H. Project

Dedicated immigration
(Padilla) counsel

Professional licensing

Housing

Loans

School

Family preservation

Jobs

Reentry

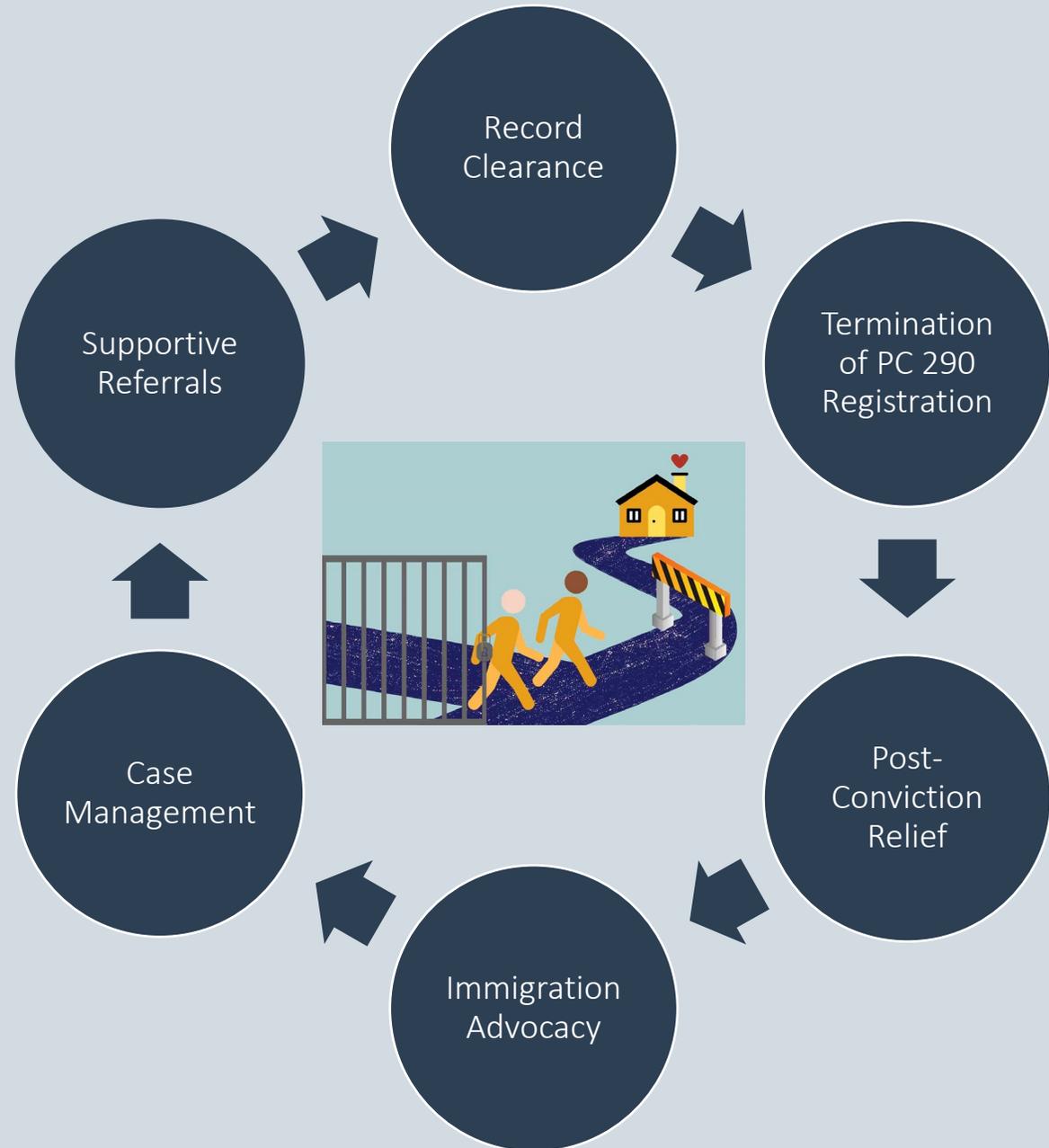
We dream of . . .

Holistic screening for people leaving carceral settings

Peer navigators for reentry

Contact visits for parents + kids

Nonprofit Partner to help meet clients' urgent material needs



Avoiding & Navigating Law Enforcement Contact



Stay Informed About
Local Laws



Use Shelters & Services



Build Relationships
with Outreach Workers



Stay Connected

Know Your Rights

Protection from Unlawful Searches & Seizures (4th Amendment)

Right to Due Process (5th Amendment)

Right to Non-Discrimination (14th Amendment)

Equal Access to Available Services (14th Amendment)

Right to Privacy*

*Article 17 of the International Covenant on Civil and Political Rights (ICCPR), which the U.S. has ratified, states “no one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence....”

Get Early Representation



SANTA CRUZ COUNTY OFFICE OF THE
PUBLIC DEFENDER

Recently had police contact? Contact the Public Defender's Office.

The Office of the Public Defender is an independent office within Santa Cruz County that provides free criminal defense services to those who qualify and operates entirely separately from the police and immigration agencies.

 EarlyRep@santacruzcountyca.gov

 (831) 454-5300

 santacruzdefenders.us

 315 Main Street, Suite 204, Watsonville
420 May Avenue, Santa Cruz

Free screening for services Monday,
12 p.m.-1 p.m. (walk-in Watsonville), or
by appointment in Watsonville or
Santa Cruz

Get information. Get legal advice. Get help.



SANTA CRUZ COUNTY OFFICE OF THE
PUBLIC DEFENDER

Ha tenido contacto reciente con la policía? Contacte La Oficina de la Defensora Pública.

La Oficina de la Defensora Pública es una oficina independiente dentro del Condado de Santa Cruz que provee servicios de defensa criminal gratis a quien califique y opera independiente de todas las agencias de policía e inmigración.

 EarlyRep@santacruzcountyca.gov

 (831) 454-5300

 santacruzdefenders.us

 315 Main Street, Suite 204, Watsonville
420 May Avenue, Santa Cruz

Servicios de asesoramiento gratuito sin
cita en Watsonville, lunes de
12 p.m. - 1 p.m. o con cita fija en
Watsonville o Santa Cruz

Obtenga información. Obtenga asesoramiento legal. Obtenga ayuda.





Let's Keep Talking About

Decriminalizing homelessness

Investing in housing, supportive housing, and treatment rather than citations, convictions, and incarceration

Addressing upstream root causes to avoid downstream consequences

Funding and supporting robust reentry that links incarcerated people to benefits, housing, treatment, and employment resources before they are released

Homeless Courts





AMERICAN BAR ASSOCIATION
Commission on Homeless
2010-2011
Works
http://www.americanbar.org

HOMELESS COURTS: TAKING THE COURT TO THE STREET

In 1989, San Diego established the nation's first Homeless Court Program (HICP), a special voluntary Superior Court session held at local homeless service agencies for homeless defendants to resolve misdemeanor criminal cases. Local homeless service agencies—not law enforcement—are the gateway for participants. Prospective participants work with shelter caseworkers to design a plan to move towards self-sufficiency prior to appearing in court. To counteract the effect of criminal cases pushing homeless defendants further outside society, Homeless Courts combine a progressive plea bargain system, alternative sentencing structure, assurance of “no-custody,” and proof of program activities, to address a full range of offenses. Alternative sentencing substitutes participation in agency programs for fines and custody, including: life-skills training, chemical dependency or AA/NA meetings, computer or English literacy classes, training or search for employment, counseling, and education—programming aimed at helping the participant improve their situation. The assurance of “no custody” acknowledges the participant’s efforts to satisfy Court requirements.

Additionally, shelter representatives write advocacy letters for clients. The letters are symbolic of the relationship between the client and the agency and include a program description, the client’s start date, accomplishments, programs completed, and insight into the client’s efforts.

By taking the initiative to voluntarily sign up, participants seek justice and a way to reconcile their past with their accomplishments, to reclaim their lives and build a future. Homeless Court enables homeless individuals who are actively engaged in an organized program to address their outstanding legal issues by participating in a court session at the agency—where the goal is to remove the legal obstacles to their participation in our community, resulting in charges dismissed, and terms and conditions of probation satisfied.

STAND

At Stand Down annual three-day community event designed to reduce isolation of homeless veterans and their re-entry into society, the program provides legal assistance and links the site services to hearing on San Diego Superior Court.

For more info see <http://www.standdown.org>

For more info Stand Down in the County of San Diego visit <http://www.standdown.org>

Eviction Defense



HEARTLAND CENTER FOR **JOBS & FREEDOM**

[home](#) [who we are](#) [what we do](#) [y](#)

home



TENANT PROBLEM SOLVER



COVID-19 Response: [Message About Services](#) • [FAQ](#)



[SERVICES](#) ▾

[NEWS](#)

[GET INVOLVED](#)

**EVICTI
DEFENSE**
COLLABORATIVE

Tenant Right

WHAT IS TENANT RIGHT TO COUNSEL?

Since EDC's founding in 1996, we have been a national leader in providing solutions to the housing crisis. Eviction Defense Collaborative works across the country to provide legal assistance to clients facing an eviction as part of a coordinated, single agency anti-displacement strategy. We are the first housing organizations to combine services for shelter clients in public housing, and tenants in privately owned housing in one place, breaking down traditional silos in the housing movement, to build a broad, integrated regional housing stability.



Indigenous blessing at "Bending the Arc: ReImaging the Carceral System" event with Santa Cruz Black



Heather opens "Strengthening the Sixth in Santa Cruz" training event at UCSC



Defenders share resources with farmworkers at Reiter Farms Resource Fair

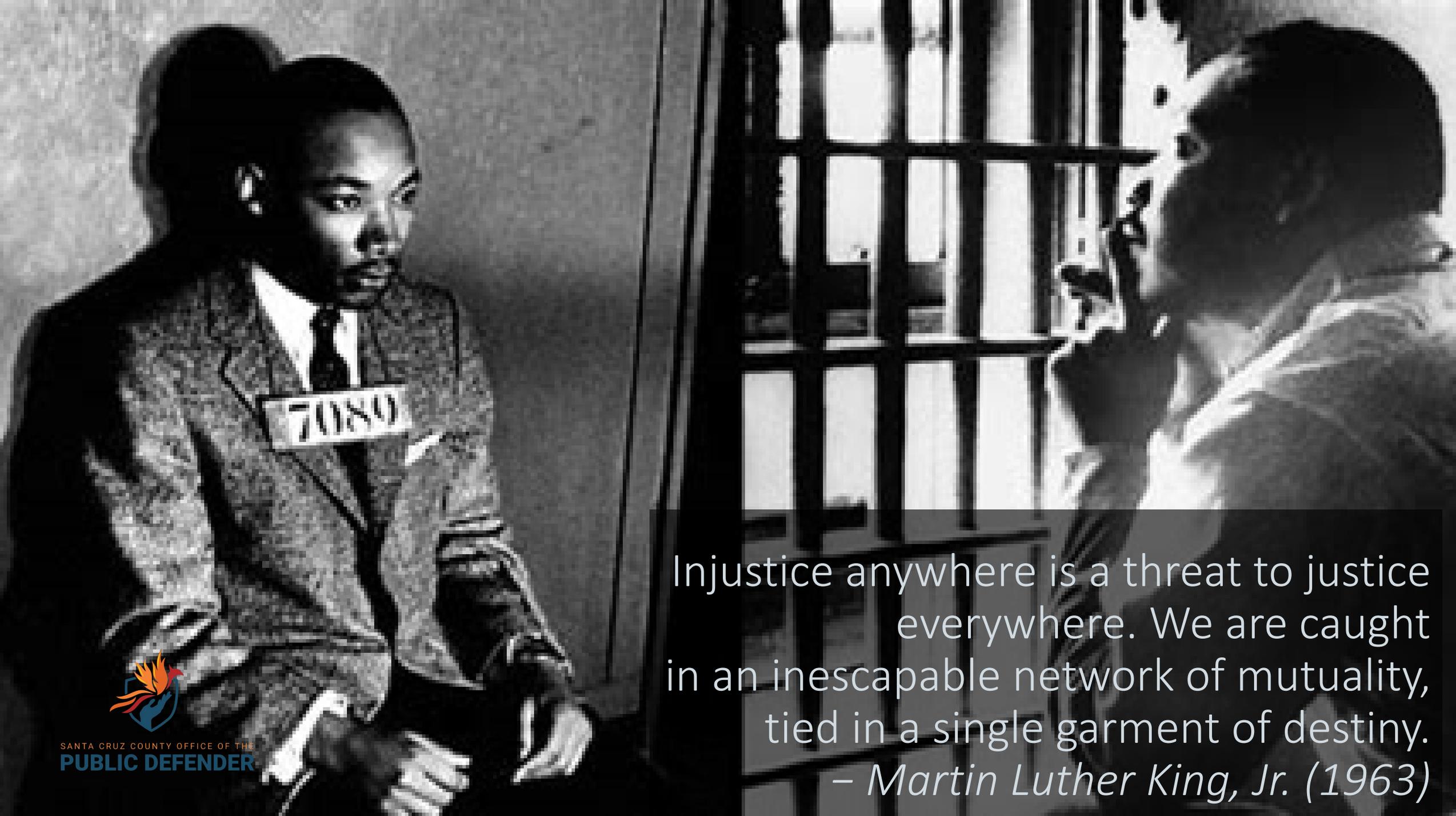
Stronger Together



SANTA CRUZ COUNTY OFFICE OF THE
PUBLIC DEFENDER



Heather speaks at March Toward Love & Courage



Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny.
– Martin Luther King, Jr. (1963)





SANTA CRUZ COUNTY OFFICE OF THE
PUBLIC DEFENDER
Courage. Compassion. Community.

315 Main Street, Suite 204, Watsonville
420 May Ave, Santa Cruz
831-454-5300
PDO@santacruzcountyca.gov
EarlyRep@santacruzcountyca.gov
CleanSlate@santacruzcountyca.gov
www.santacruzdefenders.us
#CruzDefender