



3 May 2021

Oregon Senate Committee on the Judiciary
Hon. Floyd Prozanski, Chair
900 Court Street NE
Salem, Oregon 97301

Dear Chair Prozanski, Vice-Chair Thatcher and Members of the Committee:

My name is Jimmy Jones, and I am the Executive Director of the Mid-Willamette Valley Community Action Agency. I write in support of House Bill 3115, on behalf of our Agency and the housing sub-committee of the Governor's Racial Justice Council, of which I am a member.

Our ARCHES housing project, which is known for innovation and excellence across Oregon, is the primary direct service program for the unsheltered homeless in our community. We provide shelter, permanent housing, food, showers and laundry, mobile services, outreach to camps, critical mail services (so the very sick and very disabled homeless population can receive their medicine), transportation services, and other desperately needed direct services to the homeless in our community. Our Day Center alone sees more than 1,000 clients each month, where people come to get a hot meal, escape the cold and wet weather, and find connections to treatment, medical services, and mental health. Since it opened fully in April of 2020, it has seen more than 48,000 duplicated visits, provided 58,474 meals to the homeless and 2,146 shower and laundry services. Our sheltering project this year alone has provided 3,587 bed nights in a middle of a pandemic, using a mixed delivery system of hotels and congregate shelters. We have personally, in the field, made contact with 1,917 homeless residents in camps since July of 2020, bringing with us blankets, tents, tarps, food, and many other desperately needed provisions. And in the last year we housed 538 homeless persons, on top of the 1,800 prevention households we served. We operate three residential facilities for the chronically homeless, for veterans, and for homeless youth.

The matter before you is very simple. This is a matter of logic, of reason, of law, of fairness, of dignity, of love and compassion and mostly importantly justice. The simple question is this: does the Constitution apply to those who are homeless? Are they citizens? Do they have a right to exist in peace? Can they seek safety and shelter and some small measure of peace?

I have worked with thousands of homeless clients over the years. Most of them just want a home. They want to live a useful and productive life. But until the day finally comes when they are no longer homeless, they want peace and the ability to rest. They want shelter and warmth and food. If you can close your eyes for a moment, and picture a map of any city on the West Coast, and let your mind's eye drift to the center of that city, you will understand how devastating and cruel sit-lie and anti-camping bans are for the homeless. What you'll find in that urban core are the highest needs homeless residents in the community. As you move out from that city center, the need levels and the acuties decline, the barriers decline, and the health and cognitive abilities improve. For those in the center, those who are most frequently the target of these sit-lie laws, they are the ones least able to comply. The rates of addiction are enormous. Many of them, 50 years ago, would have been residents at the state hospital. Many are aging rapidly, living two days as you and I age one, dying on average 20 years sooner than the rest of us. They are the target for violence, intimidation, and exploitation. Women are often trafficked and raped. They frequently go hungry, and sometimes lose limbs to infections, untreated medical conditions, and the elements. Just this month I lost a 58-year-old man from a MRSA infection that started as frost bite on two toes, two winters ago. He died with one foot, also covered in MRSA, one leg and his face infected too.

Consider too the impact such policies could have on these two residents of Salem. These are situations we have encountered since December:

- Our outreach team found a woman, who had earlier in 2020 given birth on a sidewalk in downtown Salem, with an open wound on her shoulder. After we finally convinced her to go to the hospital, the staff there removed more than 200 maggots from that wound. She slipped into a coma, but survived.
- Our outreach team found and moved another woman to the hospital. Her tent had a quarter inch of standing water and was filled with human feces floating around her body. She could not walk the 30 yards to a portable toilet, because her feet had the worst case of trench foot I have ever seen, in working with thousands of homeless clients over the years. We were finally able to get the state hospital to hold her for two weeks while her family worked through a service plan.

To this sick and disabled population, sit lie and blanket camping bans are uncommonly cruel. It denies them shelter. It denies them rest. There's a phrase in the homeless community, "zombie walking," to describe what many of them have to do at night to stay safe, to avoid running afoul of local ordinance. They walk through the night and sleep a little in the day. Imagine if you were forced to walk for eight hours in the rain and the cold, and then imagine having to do that an entire winter. Two winters ago we saw the consequences of these bans in Salem, with 70 people forced to take shelter under overhangs on downtown streets, almost fully exposed to the rain and wind. Homeless citizens were forced to relieve themselves in the full view of traffic. Homeless citizens that could not erect a tent to stay dry, who could not build a fire to stay warm or cook food to feed themselves.

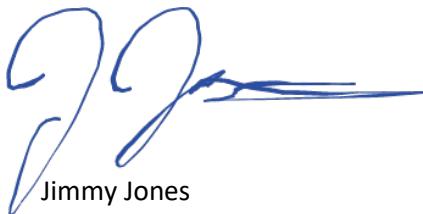
Many will say that the victims of public camping are businesses and private citizens. Others will say that the homeless, to quote one very biased recent documentary, are killing our community, when in truth it's the homeless that are dying early deaths in unknown numbers. We have lost nearly 30 in Salem in the last 12 months. How many have we lost across Oregon in that time. Why, more importantly, does no one know the answer to that question?

The bill before you will regulate the time, place, and manner that public camping can be policed. It will give us a chance to give the people living in these conditions a little dignity, a few more services, and it will give us a chance to show that we believe that the Constitution applies to all of us, no matter the poverty of our condition. Without state action, it's probable that communities, out of frustration, will continue to impose local ordinances that prohibit camping, sleeping and lying that have a disparate impact on those in poverty, on the homeless, and especially the disabled members of that homeless community. These laws, moreover, have been shown time and again to be ineffective. Oregon cities are hardly the first to attempt to ban public camping as a response to the national homeless crisis. But nowhere have such laws and ordinances been shown to be effective. Unless a locality can answer one simple question, "where can they go," those policies are doomed to failure, and they always end with unintended consequences, as we saw here in Salem last year. No ordinance, moreover, will reduce a homeless population by so much as one person. The only thing that changes is a civil or criminal judgment about whether choices by the homeless are legal. These are failed policies and Oregon deserves better.

A society is judged, at day's end, by how it treats its weakest and most vulnerable members, those without power, those who are often despised or tormented or neglected. But a good society, a just society, acts to ensure that those that cannot protect themselves are protected. It took us thirty years of bad public policy for the homeless problem to grow into what it has become today. It will take another thirty years of smart public policy to get us out. House Bill 3115 is a good start.

I hope the Committee will remember who we are trying to help, those who are dying slow and painful deaths in third-world squalor, spending the winter outside, living in tents soaked through by the rain and taking hard breaths of cold air, in clothes that have not been washed in weeks, soaked through with urine and feces, with feet rotting away. I hope that the Committee will embrace this thoughtful compromise which gives options to local government, but protects the Constitutional rights of these American citizens who are too frequently without voice, and whom cannot protect themselves.

Respectfully,

A handwritten signature in blue ink, appearing to read "JJ".

Jimmy Jones
Executive Director