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“You’re an Embarrassment”:
Un-housed people’s understandings of policing in downtown San
Diego

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ABSTRACT AND ARTICLE INFORMATION

This paper presents findings from an ongoing study of the use of police to manage the issue of street homelessness in downtown San Diego, California. We situate our study among recent conceptualizations of policing and homelessness in post-industrial cities. We draw on data collected over the past two years through brief, structured interviews ($n=195$), focus groups ($n=23$), and in-depth, semi-structured interviews ($n=20$) with un-housed people about their experiences with law enforcement. Our findings show how un-housed people make sense of and attempt to maneuver within a system of policing that attempts to erase homelessness from the urban landscape and that consequently functions to further deepen the marginalization of this already vulnerable population. We find that un-housed people perceive police tactics as being driven by an assumption of the criminality or deviance of people living in homelessness. We also examine our participants’ perceptions and consider the implications of homeless outreach teams, a police-social service hybrid program model that has become widely adopted in U.S. cities. Our data suggest that while these outreach teams offer an important form of assistance for un-housed people in crisis, the lack of a clear pipeline from outreach to permanent housing reduces trust in and willingness to accept help from these teams. We conclude with a discussion of the implications of our findings in relation to cities’ responses to homelessness, as well as to the changing nature of policing in post-industrial cities.

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Encounters with police are a common but to-date relatively understudied aspect of the experience of being un-housed.¹ In the United States, the nature of these encounters has transformed in recent decades alongside broader economic changes that have dramatically altered how cities are socially organized, and as a result, both how homelessness in the urban context is understood and the role that police play in addressing homelessness. In recent decades, local police forces have been enlisted in a “project of reassurance” (T. Gibson, 2004) as cities have sought to rebrand themselves as safe and welcoming places for both affluent residents and tourists, resulting in the widespread use of homeless encampment “sweeps,” tickets, and arrests to displace and erase un-housed people from urban public spaces.

Recent scholarship suggests that enforcement-oriented interactions with police can have long-lasting effects on un-housed individuals’ perceptions of the police, perpetuating mistrust and underreporting of victimization (Krameddine & Silverstone, 2016), as well as hindering social service outreach efforts (K. Gibson, 2011). Stuart (2016) argues that “cop wisdom”—the experiential knowledge people accrue in their encounters with police—shapes how people understand policing’s role in their lives, in turn producing a range of coping techniques to avoid law enforcement at all costs. The present study builds on this evidence by examining un-housed people’s perceptions of policing activity, including not only law enforcement tactics but also a hybrid police-social service model of homeless outreach in the downtown core of one U.S. city.

Contemporary policing tactics to control as well as help un-housed people have deep historical roots. Throughout U.S. history, police have faced immense pressure to “do something” about homelessness (Beckett & Herbert, 2009). Referring more generally to the tension between crime fighting and service provision roles, Manning (1977) aptly calls this the “impossible mandate” of policing. In the late 1800s, arrests of un-housed people in cities for “vagrancy” were commonplace (Kusmer, 2002). Yet, police also commonly provided overnight housing to un-housed people, termed “lodgers,” in police precincts (Monkkonen, 1981). Such lodging, while playing a key societal role of keeping un-housed people off the streets at night, was also a mechanism through which police could control this “dangerous class”; Monkkonen (1981) argues that the disappearance of this lodging role in the early 1900s signaled a shift in policing’s societal function from class control to crime control. Post-World War II, police responses to homelessness frequently included skid row “roundups,” and these tactics had renewed

applications in the late 1970s and early 1980s as cities confronted a “new homeless” population that was the product of both the widespread destruction of affordable housing and economic forces such as deindustrialization (Kusmer, 2002; see also DePastino, 2010). Throughout these eras, police have enforced various laws, often vaguely written (e.g., vagrancy, loitering, disorderly conduct), to “contain” and minimize the intrusion of un-housed individuals into the spaces and activities of “decent,” housed people (Bittner, 1967; Stuart, 2015). Punishment in the form of arrest or jail time was used either to coerce un-housed people into good behavior, or as a respite from substance abuse (Spradley, 1970).

While police tactics have remained rather consistent, what is new in our current era (since the mid-1990s) is how zero-tolerance policing tactics couched in a language of “quality of life” (mirroring the urban redevelopment language of “livability”—see Mitchell, 1997) are used by cities to facilitate the privatization of public space: Urban spaces such as parks no longer truly belong to the public but rather to a subset of the public that “deserves” to enjoy them (Mitchell, 1997, 2011). This trend has been supported by the proliferation of increasingly-specific laws to target un-housed people (Beckett & Herbert, 2008, 2009; Selbin, Campos-Bui, Feldstein, Fisher, & Miller, 2016).

Starting from this context, the study presented here aims to assemble a deeper understanding of how police are used to manage homelessness in the post-industrial city. We do so by examining how un-housed people living on the streets of downtown San Diego, California, experience policing and how they interpret the broader societal meanings behind criminal justice responses to their circumstances. We first situate our study among recent conceptualizations of policing in post-industrial cities (Beckett & Herbert, 2008, 2009; Lippert & Walby, 2013; Lipsitz, 2013; Mitchell, 1997, 2001; Sharp, 2014; Staeheli & Mitchell, 2008; Stuart, 2016). We then provide an overview of the San Diego context, including the city’s attempts at controlling and, in effect, erasing homelessness from the urban landscape, as well as more benevolent policing efforts aimed at connecting un-housed people to medical, mental health, and social services. We then present our findings from brief structured interviews, focus groups, and in-depth semi-structured interviews with un-housed people in 2016 and 2017. Our findings shed light on how un-housed people make sense of and attempt to maneuver within a system of policing that attempts to erase homelessness from the urban landscape. These findings show how exclusionary police practices further deepen the

marginalization of this already vulnerable population, while weakening the efficacy of more inclusionary approaches. We conclude with a discussion of the implications of our findings in relation to cities' responses to homelessness, as well as to the changing nature of policing in post-industrial cities.

Literature Review

Policing Homelessness in the Post-Industrial City

Globally, more of the world's population lives in cities than ever before (M. Davis, 2006), and in the United States, 80% of people now live in cities, whereas a century ago, more than half of the American population lived in rural areas (U.S. Census, 2016). As the U.S. economy has shifted away from manufacturing, American cities are drawing on "new economy" strategies of economic development to support the cultural preferences of the so-called "creative class" of workers—scientists, engineers, designers, and others whose work functions are to "create meaningful new forms" (Florida, 2003, p. 8). To entice these affluent workers, as well as tourists, back into the urban core, cities engage in a wide range of strategies—including police enforcement—to reassure residents and visitors that it is safe to live in and visit urban areas by cleansing public spaces of danger, decay, and disorder (T. Gibson, 2004; Mitchell, 1997; Sharp, 2014). Simultaneously, the social safety net that previously enabled the survival of working class people has all but disappeared, making a descent into homelessness more likely; as Lipsitz (2013) puts it, "housing insecurity is a personal problem but it has structural causes" (p. 129).

In this way, recent economic changes track with the changing nature of contemporary policing practices, which increasingly aim to forcibly erase un-housed residents from the urban landscape through the punitive enforcement of a wide—and growing—set of anti-homelessness laws (Selbin et al., 2016). Indeed, as Lippert and Walby (2013) observe, cities are more than just backdrops for policing activities; cities and the police forces they deploy are inextricably linked. Cities' efforts to erase homelessness through the use of police have been referred to in varying ways: "exclusion," (von Mahs, 2013), "banishment" (Beckett & Herbert, 2009), and "dispersal" (Walby & Lippert, 2012). These terms all stem from Smith's (1996) terming of "revanchism" as an umbrella name for efforts to reclaim urban spaces from undesirable or undeserving groups.

These tactics are connected to broader trends in police practices. In many U.S. cities, violent and property crime rates rose precipitously in the 1970s

and 1980s, peaking in the early 1990s before falling to historical lows in recent years. Following New York City's "tough on crime" approach in the early 1990s (Harcourt, 2001; Manning, 2001), cities across the United States adopted policing tactics that were informed by the "broken windows" thesis that serious crime can be prevented by addressing less serious, "disorderly" behaviors—deemed threats to "quality of life"—such as loitering, panhandling, and drinking in public (Kelling & Wilson, 1982). Although the substantial costs and limited benefits of this "order maintenance" policing style are now well documented (Gau & Brunson, 2010; Harcourt, 2001; Howell, 2009; Lipsitz, 2013; Barrett & Welsh, 2018), its central logic and tactics are still evident in policing activity today, particularly in response to street homelessness.

Rather than scaling back aggressive policing in the current era of historically low crime rates, U.S. cities have doubled down on order maintenance policing by enacting so-called "civility" laws, which, in practice, render homelessness a criminal act (Beckett & Herbert, 2008, 2009). Ordinances against activities such as standing, sitting, and resting in public spaces—for examples, trespassing and parks exclusion laws and laws prohibiting "aggressive" panhandling and food sharing programs—have been enacted widely and continue to grow in both number and scope (Selbin et al., 2016; see also Dum, Norris, & Weng, 2017; Lipsitz, 2013). Municipal courts regularly issue stay-away orders to people in areas deemed high in drug or prostitution activity, effectively banishing un-housed people from broad swaths of urban areas (Beckett & Herbert, 2009). Thus, "quality of life" policing is not a relic of an earlier era, but rather an *integral part* of how cities are rebranding themselves through what Sharp (2014) calls "post-industrial policing." Notably, these laws have proliferated despite the Supreme Court's intervention in local jurisdictions' use of statutes against vagrancy and loitering to police behaviors related to homelessness up to the 1970s. In several cases, the Court consistently ruled that homelessness and its related behaviors do not constitute criminal offenses and that such laws were written far too broadly (Beckett & Herbert, 2008).² In response, cities have re-written their laws to more specifically target problematic behaviors, such as many cities' efforts to prohibit "loitering with the intent to commit criminal acts" (Beckett & Herbert, 2009, p. 41).

Cities' prohibition of the life-sustaining behaviors of un-housed people signals efforts to eliminate the notion of public space as accessible to all city residents, or what Mitchell (1997) calls "the annihilation of space by law." As Lipsitz (2013) puts it, "as far as city officials are concerned, houseless

people are in the wrong place at the wrong time” (p. 127). Staeheli & Mitchell (2008) argue that these trends in urban redevelopment and policing are about a “politics of property” in which “a new definition of what the public is—and thus who has a legitimate claim to be a part of the public (and therefore a right to the city) is being worked out” (p. 49).

Police roles in the battle over who has a right to occupy public space include not only law enforcement, but also, increasingly, the provision of social services. Reminiscent of the “lodging” role that police played in earlier eras, many U.S. cities have begun to implement a range of police-social service hybrid program models to more effectively respond to mental health crises and other issues not directly related to law enforcement. Simpson (2015) notes that this development has coincided with broader cuts to mental health services, thus putting police on the forefront of responding to people in crisis; without proper training and support, such interactions can have deadly results (e.g., Cabrera, Cavanaugh, Burke, & Lipkin, 2017). These models range from mental health and crisis response training for police officers (e.g., Reuland, Schwarzfeld, & Draper, 2009) to dedicated crisis response (e.g., Helfgott, Hickman, & Labossiere, 2016) or homeless outreach teams (e.g., City of San Diego, 2017), in which specially-trained officers work alongside social service providers and psychiatric clinicians (see also, U.S. Interagency Council on Homelessness, 2012). Evaluation evidence suggests that these teams can play an important role in reducing the burden on police departments, which are otherwise tasked with responding to so-called “frequent fliers” who are a substantial drain on police resources and whose needs are not easily addressed through law enforcement means (Helfgott et al., 2016).

However, critical scholars have argued that these police outreach models are more focused on managing public relations than on substantively addressing the root causes of homelessness (Mitchell, 2011). Such benevolent responses are a means through which cities can say they are addressing the issue, while also using more punitive law enforcement tactics to functionally erase homelessness from the urban landscape. In many ways, cities’ responses to homelessness exemplify Mitchell’s (2011) assertion that there is a distinctly “American” style of homelessness, in which the status of being un-housed is largely about the personal attributes that contributed to one’s homelessness. Stereotypes of homelessness dictate that un-housed people are the dirty panhandlers outside your local liquor store—“work averse, filthy, and worthy of our contempt” (Knecht & Martinez, 2009, p. 521). The framing of homelessness as an

individual problem with individual solutions (e.g., Baum & Burnes, 1993) thereby facilitates the “othering” necessary to sustain the set of social relations which give rise to homelessness in the first place (Marcuse, 1988). A discourse of inclusion—that something must be done to help un-housed people—rather comfortably co-exists in popular discourse alongside resistance to such efforts and the proliferation of anti-homeless laws discussed above. A common refrain from housed community members is that they support housing un-housed people, but that such efforts should take place away from “decent” communities (T. Gibson, 2004; see, for example, Horn & Peña, 2018). Thus, depending on the discursive framing, homelessness is interchangeably viewed as a sympathetic issue deserving of a solution and as a deviant lifestyle that merits police scrutiny.

It is worth noting that this dynamic is evident not just in police responses to homelessness but also at the intersection of homelessness and the “back end” of the criminal justice system: the supervision of criminalized people by parole or probation agencies. As with homelessness, the reentry of former prisoners is framed as work that they must accomplish on their own, such as finding a job and housing and reuniting with family; there is little substantive assistance that parole agents and probation officers can offer, as the overriding mandate of these supervision agencies is to monitor and control clients’ behavior for the sake of public safety (Author’s Own; Opsal, 2015). In California, recent legislative changes, prompted largely by rampant overcrowding of the state’s prisons, have reduced or eliminated incarceration for low-level, non-violent offenses.³ Yet these changes, which have released or diverted thousands of people from prison or jail, have not been accompanied by the types of services and supports necessary to address what brought people into contact with the criminal justice system in the first place, leaving many people who would otherwise be incarcerated free but un-housed and in need of substance abuse and mental health treatment (Castellano et al., 2016).

The San Diego Context

California is home to the largest number of un-housed people in the United States, accounting for nearly a third (31%) of all un-housed people and just over half (51%) of those who are unsheltered (Henry, Watt, Rosenthal, & Shivji, 2017). Cities throughout California are hitting a breaking point at which it has become more and more difficult to imagine homelessness to be an abstract issue affecting people “over there”; homelessness is now quite literally in our front yards (e.g., Chabria, Hubert, Lillis, &

Garrison, 2017; Walker, 2017). Several major cities in California have recently established departments to address homelessness and affordable housing (Selbin et al., 2016), alongside declarations of a “homeless state of emergency” (e.g., Pimentel, 2017).

San Diego is the eighth-largest U.S. city, but regularly ranks among the top five cities with the largest homeless populations, with more than 9,000 un-housed people, more than half of whom are unsheltered (Henry et al., 2017; Regional Task Force on the Homeless of San Diego [RTFH], 2017). A contributing factor to the magnitude of housing insecurity in California is a persistent housing affordability crisis, in which housing costs have far outpaced wages (Bohn & Danielson, 2017). This crisis is even worse in desirable coastal cities. In San Diego’s high-priced housing market, for example, one must work nearly three full-time minimum wage jobs to manage the “rent burden” of a market-rate apartment (San Diego Housing Commission, 2015). In this context, it is less surprising that although West Coast cities are often perceived as liberal and welcoming, amidst these housing and homelessness crises, they are enacting some of the most punitive anti-homeless policies in the nation (Mitchell, 1997; Selbin et al., 2016).

The transformation of San Diego’s downtown core exemplifies post-industrial revitalization efforts across the United States. The first wave of revitalization in recent decades focused on the Gaslamp Quarter, which from the end of World War II until the mid-1970’s was known as a “sailor’s entertainment” district akin to New York City’s Times Square of that era, replete with adult movie theaters, massage parlors, and other hallmarks of “seedy” urban areas (Putnam, 2009; Staeheli & Mitchell, 2008). Revitalization efforts involved the displacement and relocation of un-housed people to the newly-renamed East Village, a neighboring downtown district now undergoing its own redevelopment. Homeless service providers were incentivized to relocate to the East Village through relaxed zoning laws, thus creating a “homeless ghetto” (Halverstadt, 2016b) on par with the Skid Rows of other U.S. cities. The City then prevented service providers from expanding by refusing to grant conditional use permits, effectively stifling providers’ efforts to build much-needed affordable housing (Staeheli & Mitchell, 2008). A second wave of revitalization is now happening in the East Village, formerly an industrial warehouse district known as “Center City East.” With its hip new name, the East Village has undergone extensive redevelopment, including the construction of roughly 40 high-rise apartment and condominium buildings in the past decade (Showley, 2014). These glittering new

buildings now uncomfortably co-exist with tent encampments and many of the region’s major homelessness service providers (Halverstadt, 2016b).

The San Diego Police Department (SDPD) is tasked with managing tensions between housed and un-housed residents of the downtown area.⁴ A key social service-oriented response to homelessness is the SDPD’s Homeless Outreach Team (HOT), which is comprised of specially-trained SDPD officers, psychiatric clinicians, and social workers. The HOT patrols areas of the city where un-housed people are known to exist, as well as receiving referrals through patrol officers and calls for service that report the presence of chronic or “problematic” homeless activity. Members of the HOT assess people’s needs and connect them with services, including providing them transportation to hospitals, shelters, and substance abuse treatment programs (City of San Diego, 2018). In this way, the HOT endeavors to free up regular patrol officers, who are frequently the first responders to homelessness-related issues, to work on issues more directly related to crime control, and, importantly, to offer a non-punitive response to this issue.

However, SDPD officers are also equipped with an array of “quality of life” laws which they may enforce, such as laws against panhandling or “aggressive solicitation” (San Diego Municipal Code [SDMC] §52.4001-52.4006). Many of these offenses are detailed on a departmental website entitled “Dealing with Homeless People,” which states that

the SDPD and elected officials in the County and City recognize that there is a fine line between homelessness as a social issue and a criminal issue.... While being homeless is not a crime, many kinds of public conduct are illegal and should be reported to the SDPD. These include being intoxicated, loitering, prowling, fighting, trespassing, aggressive panhandling, soliciting, urinating/defecating, consuming alcoholic beverages in certain public places, camping or sleeping in parks, littering, obstructing sidewalks, living in a vehicle parked on a public street, disturbing the peace by loud and unreasonable noises, using offensive words, behaving in a threatening manner and more. (San Diego Police Department, 2018)

This statement clearly enumerates the ways in which the City has carefully crafted its laws both to avoid directly criminalizing homelessness but also to prohibit virtually all life-sustaining activities of un-housed people.

Further, a municipal code originally intended to deal with wayward trash dumpsters by prohibiting the encroachment of “any vegetation or object on any public street, alley, sidewalk, highway, or other public property or public right-of-way” (SDMC

§54.0110) is also increasingly being used to address homelessness. Tickets and arrests for this so-called “encroachment” law have been the target of recent lawsuits for excessive enforcement, after similar lawsuits a decade ago curtailed excessive use of a state law against “illegal lodging” (K. Davis, 2016b; Halverstadt, 2016a). The SDPD says it requires officers to offer help first—a ride to a shelter or to a hospital if necessary—before issuing a ticket or making an arrest, but if the person refuses the help, an arrest can be made. Repeat arrests can result in the issuance of a “stay-away order,” which can prohibit people from being in the areas where social service providers are concentrated. As one homeless-rights advocate was quoted as saying, in applying the “encroachment” code to un-housed people, “they’re treating people like trash cans” (K. Davis, 2016b). In this way, the City of San Diego’s creative application of municipal codes to control un-housed people’s activities is consistent with Beckett and Herbert’s (2008) observation that cities will find ever new and innovative ways of containing, excluding, and erasing those deemed dangerous, deviant, or simply undesirable.

Over the last three years, a primary mechanism through which homelessness is managed is through weekly “sweeps” of the East Village in the early morning hours, ostensibly to keep the streets and sidewalks clean. Several police cars accompany city staff and dump trucks from the Environmental Services department as they clear the area block by block. People living on the streets are required to remove their belongings, and if they are not present when a sweep occurs, unclaimed items are supposed to be stored by the city for later retrieval, although this does not always happen, according to both our research participants as well as news and advocate accounts of the sweeps (Halverstadt, 2017a; Murphy, 2016). One local activist has been key in documenting the impact of these sweeps through photos and videos posted on the Facebook page “Homelessness News San Diego” (McConnell, 2018). This page first gained media attention when it broadcast the City’s installation of large, jagged rocks under a major freeway overpass to deter un-housed people from sleeping there in advance of the City hosting the 2016 Major League Baseball All-Star game. The City initially denied any connection between the installation of the rocks and the baseball event, instead citing housed residents’ complaints of homeless activity near the overpass, but email exchanges among city officials later revealed that the baseball game was indeed the primary motivation (K. Davis, 2016a).

A Hepatitis A outbreak in downtown San Diego in the summer and fall of 2017 further heightened

this dynamic, as the routine displacement of un-housed residents has been ramped up in an effort to contain and minimize spread of the virus. The first city-sponsored “safe camping zone” opened in response to the outbreak prioritized the most “deserving” members of the un-housed population—older people, those with chronic health issues, and women with children—to the exclusion of everyone else (Warth, 2017). Public opposition to the camp was fierce, despite heavy security and other safeguards. Housed residents living near the camping zone expressed both a desire to provide people with a place to stay but also a deep fear that offering such a place in their neighborhood would mean an increase in crime, drug use, and other forms of disorder (Rivera, 2017). Meanwhile, the city has escalated encampment sweeps, tickets, and arrests of un-housed people who have been displaced from the East Village and are trying to exist elsewhere in the city (Halverstadt, 2017b, 2017c, 2017d; McConnell, 2018). It is within this context that we spoke with people living on the streets of the East Village for this study.

Method

The data presented here have been collected as part of an ongoing experiential learning and research project in which students in the authors’ research methods and special topics seminar courses are trained in interpretivist epistemology, ethics, and methods, with an emphasis on interviewing skills, and then participate in data collection (Welsh, 2018). In the first two waves of data collection (in March and October 2016), undergraduate criminal justice and public administration students conducted brief, structured interviews with un-housed residents in the East Village ($n=195$). In March 2017, we then sought to dig deeper into several themes that emerged from the initial interviews. With a class of public administration and criminal justice graduate students, we collected additional data through focus groups ($n=23$) and in-depth, semi-structured interviews ($n=20$).

The brief interview instrument contains about 25 questions and focuses on respondents’ encounters with several services and institutions, including local shelters, public assistance/welfare, parole/probation, police, and the HOT. Most questions are close-ended with either categorical or Likert Scale response options, with several additional open-ended questions to probe for perceptions and experiences of each entity. The focus group and in-depth interview guides follow a similar thematic organization and are structured around ten open-ended questions that probe for participants’ perceptions and experiences,

particularly around various aspects of policing (e.g., arrests or tickets for encroachment or other offenses). The one-on-one interview guide also asks about the factors that contributed to participants' homelessness.

A purely convenience sampling approach was used throughout: for the brief, structured interviews, members of the research team approached potential participants on the street; for the focus groups and in-depth interviews, participants were recruited through flyers posted at the central public library, where data collection also took place.⁵ All participants were offered an incentive for participating that was commensurate with the length of time of their participation. Brief interview participants were offered an incentive worth \$10, with a choice of either a McDonald's gift card for that amount or two public transit day passes. Focus group participants were offered the same options totaling \$40 in value,

and in-depth interview participants were offered \$20 of the same. The form and amount of these incentives is consistent with what other researchers have recently offered (e.g., Ensign, 2006).

Table 1 summarizes the demographics of our brief interview sample ($n=195$). Despite the lack of rigor in our sampling approach, which was necessary given the difficult-to-reach nature of the population, we are relatively confident that our sample is representative of downtown San Diego's un-housed population. Compared with the most recent point-in-time count for all of San Diego County, our sample was more diverse by race/ethnicity (61% White for the point-in-time count) and had a higher percentage of people living in "chronic" homelessness (24%) but consistent on gender, age, and prevalence of community supervision status (RTFH, 2017).

Table 1: Demographics of Brief Interview Participants ($n=195$)

| Variable | Percent |
|-----------------------------------------------|-------------------------------------------------------------------------------------------------|
| Gender | 71.5% male, 27% female |
| Race/ethnicity | 38.7% White, 35.7% Black, 14.1% mixed ethnicity/other, 9% Hispanic/Latino |
| Age | Mean age of 45 years; more than 60% between 25 and 54 years |
| History of homelessness | 57.1% first time being un-housed; 40.7% one or more previous periods of homelessness |
| Most frequent sleeping location in last month | 43% sleeping bag/street; 27% tent; 10% temporary shelter; 15% other (car, hotel, couch-surfing) |
| Community Supervision | 13.2% on parole or probation |

For the brief, structured interviews (each lasting 20 minutes on average), which were each conducted by a pair of student-researchers, responses were hand-recorded and then entered into an Excel spreadsheet for analysis. As a class project, small groups of students were then assigned a subset of open-ended questions to code the responses inductively and then write a memo reporting the themes they identified.

The focus groups and in-depth interviews were audio-recorded and transcribed, and then coded thematically, while checking themes both for internal coherence and for areas of in/consistency with findings from the brief interviews (Braun & Clarke, 2006). Each focus group was led by one of the authors and observed by one to two student-researchers, who recorded notes on verbal and non-verbal interactions. The focus groups averaged 90 minutes in length. A total of 23 participants (nine male and 14 female) participated across the three groups and were given the option of staying after the

group session and participating in a one-on-one interview. Volunteers who were put on the waitlist for each focus group were also asked if they would like to participate in an interview. Graduate student members of the research team then conducted these interviews ($n=20$), lasting 30 minutes on average.

Results

Our findings shed light on un-housed people's perceptions of and encounters with patrol officers as well as the more specialized officers of the Homeless Outreach Team (HOT). Participants were not consistently negative in describing their experiences with police, acknowledging the important role that police play in society, while also noting that this role ("to protect and to serve") does not seem to apply to them. Participants consistently articulated a belief that there is a coordinated, systematic over-policing of un-housed people's survival strategies, and a simultaneous under-policing of the places where un-

housed people exist. These sentiments extended to the HOT, which participants viewed overall as a positive entity, at least symbolically. However, participants also expressed a mistrust of the HOT, either due to their affiliation with the police department, or, more frequently, due to an awareness of the HOT's minimal ability to offer substantive help in the form of a pathway to permanent housing.

In our brief interviews, we asked our participants a series of close-ended questions about the frequency

and nature of their interactions with law enforcement in general. As displayed in Table 2, participants were asked to rate police levels of helpfulness and harassment, and the extent to which participants trust police and believe that police ensure their safety, on a scale from 1 to 3, with 1 being "not at all," 2 being "a little or somewhat," and 3 being "very much."

Table 2: Brief Interview Participants' Perceptions of Police (n=188)

| | "Not at all" | "A little or somewhat" | "Very Much" |
|---------------------------------------------------------|--------------|------------------------|-------------|
| "How helpful would you say the police are to you?" | 45.7% | 46.7% | 7.6% |
| "How much would you say the police harass you?" | 47.7% | 28.7% | 23.5% |
| "How much would you say the police ensure your safety?" | 40.9% | 36.9% | 18.7% |
| "How much do you trust the police?" | 52.1% | 35.8% | 12.1% |

Table 3: The Effect of Frequency of Police Contact on Perceptions of Police (n=188)*

| Item | Fewer than 5 police contacts in the past year (n=123) | More than 5 police contacts in the past year (n=65) |
|----------------------|-------------------------------------------------------|-----------------------------------------------------|
| Police Helpfulness | 1.837 | 1.569 |
| Police Harassment | 1.569 | 2.108** |
| Police Ensure Safety | 1.927 | 1.538** |
| Trust in Police | 1.951 | 1.446** |

* Response options were 1= "not at all, 2= "a little or somewhat", 3= "very much." Scores indicate mean response scores for each question.

**Difference between groups significant at $p < 0.01$ level.

The majority of brief interview participants (72.4%) reported fewer than five police contacts in the past year, while 15% reported between five and 20 police contacts, and 12.6% reported more than 20 police contacts. We conducted independent-samples t-tests to determine whether people who had a low level of police contact (fewer than five encounters in the past year) had different perceptions of the police than those with medium or high levels of contact (between five and 20 and more than 20). As shown in Table 3, we found statistically significant differences between these two groups in three out of four domains, with people reporting more police contact rating the police lower on trust and ensuring safety and higher on harassment. This is consistent with recent research on this topic and may be reflective of how different circumstances and life trajectories can affect levels of police contact (Von Mahs, 2013). Lastly, for those

who reported being on some form of supervision, although most (77%) reported having seen their parole agent or probation officer within the past month, only two (8%) reported that this person had tried to help them to find housing.

"You Can't Call for Help": The Implicit Assumption of Criminality and the Burden of Warrants

As discussed above, for un-housed people, the East Village is the most service-rich neighborhood in San Diego's city core. However, it is not to be assumed that most people living on the streets of the East Village want to be there; as one of our focus group participants put it, "The thing with East Village is when you're not in a shelter, that's where the main food is and where the main resources are and you get

stuck there.” A home on the street does not come with the kind of security that conventionally housed people enjoy. As other researchers have found, our participants frequently described victimization through sexual assault and other forms of interpersonal violence, theft, and the unpredictability of being around people who may struggle with untreated mental illness and/or substance abuse issues (Broll & Huey, 2017; Huey, Fthenos, & Hrynieqicz, 2013). Yet, as Huey and colleagues (2013) observe, our participants most often spoke about this victimization in terms of resilience and survival. Because of the concentration of un-housed people, the East Village is a place where communities can form, however fragile and liminal. One of our focus group participants described this as the “logic of the street”: that un-housed people form networks to “watch each other’s backs” and keep an eye on each other’s belongings.

The prevalence of victimization is coupled with a sense that among the general housed population, “no one cares” about the safety of people living on the street. Communities develop in part because people know that no one else is watching out for them. When we asked our brief interview participants, “What is one thing you wish the police knew or understood better about you?” responses consistently emphasized the need for police to humanize their understanding of un-housed citizens. Participants talked about the need for officers to “keep an open mind,” “to be more understanding,” to exercise “more compassion, less harassment,” and to not “think homeless people are animals or criminals”—in sum, to know that “I am a person just like them.”

These remarks point to a sense that police are operating under an implicit assumption of the criminality or deviance of un-housed people and that this then shapes every police encounter. Notably, this assumption persists, even when arguably more serious criminal activity is visibly present in the area. An exchange from one of our focus groups highlights this irony:

Participant 1: Okay now, here’s the thing about the police. The police do not care about us at all. Every week they do this. They hassle people all the time, but every week they do this Monday cleanup thing, okay? That’s a bunch of shit. Me, myself, I go and clean up the trash up the whole street, I don’t care, so that they will leave us alone, but yet they still come back, and they hassle us. They write us tickets for encroachment, all this paperwork... They ain’t going to do nothing to us about it. I went to court for two of them, and I was hit with community service. I did my community service, no big

deal, but they still hassle. They do too much hassling. Why can’t they just hassle the people that are causing the problems?

Participant 2: Oh, they leave them alone.

Participant 1: They leave them alone, exactly. They leave them alone.

Beyond the irony of an un-housed person being required to do “community service” for a behavior related to their homelessness, there is the additional irony, readily noted by many of our participants, that police officers are frequently more focused on “hassling” un-housed people than they are on addressing actual criminal activity, such as open-air drug sales. Indeed, as one of our participants suggested when asked about what police might do differently, “worry about keeping the crime rate down instead of worrying about homeless.”

This irony is further reinforced by the net result of aggressive order maintenance policing: the likelihood that if one has been living on the streets for any extended amount of time, they probably have at least one warrant out for their arrest for unpaid tickets for offenses such as encroachment. As one focus group participant put it, this further puts already vulnerable people at risk, as they are even more reluctant to call the police if they need help:

Something you really need to focus on, when somebody assaults us or anything, a lot of us have warrants, including myself, for not paying my bus ticket. That’s why I’m here doing this interview. I need some bus tickets. We’re afraid to call the police because I might get arrested... But it’s like so many people, the police know that. So, we’re screwed. You can’t call for help.

In contrast to conventional understandings of police roles—as public servants, protectors, and law enforcers—the un-housed people we spoke to frequently described police contact as something to be avoided at all costs, no matter the circumstances.

The Marginalizing Effects of Police Activity

Encampment “sweeps” are not just disruptive, but can decimate an un-housed person’s resources—this is the most frequent and consistent issue we have heard from our participants. Due to a previous lawsuit against the city for doing the sweeps without warning, signs now must be posted three days in advance, stating the day, time, and location of upcoming sweeps of the area (Halverstadt, 2017a). Yet the signs sometimes get torn down, and people

do not always see them. One focus group participant described the impact this way:

I got up at 8:30 to get the clerk to straighten out my food stamps. When I came back at 11:00, everything was gone. They'd never hit that street before... I had no idea it was going to happen. I lost all of my clothes except for what I was wearing. The only thing they saved was my tent and my medicine, those are the two easiest to replace. The clothing I needed for the job... So, I lost all of that. They said it was soiled. I said, "It was not soiled."

As one of our in-depth interview participants put it, the knowledge that such police activity is so common puts in motion a set of survival strategies that becomes a self-reinforcing stereotype of un-housed people—that of the shopping cart-pusher:

It seems like every time you start to get something accomplished, something else goes wrong so the police pushing you out of your spot and they're taking or throwing your stuff away or your stuff gets stolen, often, most likely, by other homeless. That's what it comes down to. The shopping carts. I have just realized that in the past couple of days. I was like, "That's why it's notorious for those." If I were to get a big bag and carry my stuff around, they would steal that so that does no good. They're not going to steal a shopping cart from you. So that's—and having this stuff with you, you don't have to worry about the police throwing it away without you knowing or someone has stolen it. That's why notoriously homeless have shopping carts. It's because all of these factors that push you to that. It's the only real solution.

What may start a gradual slide away from stable housing for some—alternating between “camping” on the street in a tent and sleeping on friends' couches, for example, as some of our participants described—can, with one police “sweep,” become an abrupt descent into complete homelessness. In this way, aggressive police enforcement against un-housed people functions to push people further into the margins of society.

Another theme we heard in speaking with people who had been living on the street for a while was the techniques they use to “fit in,” to include themselves, to be good citizens, and in doing so, to avoid police attention. This fits with what Stuart (2016) calls “cop wisdom” among un-housed people: anticipating and internalizing officers' perspectives as a means of avoiding them. One of our focus group participants,

who had lost his belongings multiple times to encampment sweeps but who prided himself on otherwise avoiding police contact, described his approach to living in a tent in the East Village:

I am there where school children go by to go to the school there, and I pack up my stuff. I clean my area. Because the kids need the sidewalk, so I am going to do the day, pack up my stuff, and the police respect me... because I don't cause trouble. I have always cleaned up. You know, I don't get encroachment [tickets], but on the same hand at every shelter we go to there is drug dealers right outside the door at every homeless service and they won't move them for a period. But if you have a tent or you're sleeping on the street they're going to move you all the time.

Notable in this passage are the contradictions in the way police respect is earned and how police enforcement occurs. This participant believes the police respect him because he “doesn't cause trouble,” yet he quickly points out that this respect doesn't extend to the sweeps, no matter how clean and respectful one is of the public space he is living in.

In this way, participants readily understood such police tactics as a way in which the city communicates messages about how un-housed people are to be viewed and dealt with. This becomes even more apparent when large, tourist-attracting events such as the All Star Game are coming to town. As one focus group participant observed,

This is what I personally noticed when I was paying attention, when we have anything that's coming to our city... if we are around a park, the Greyhound Station, the MTS [trolley station], the library. All of this stuff, they're trying to push—they can't just come out and say that. They'll find other ways. Like they'll get rid of your stuff and you'll come back, you'll have nothing to come back to. So, you leave, because you've got to figure out your things. But the point is, you're in the way right now. We have company coming. You're an embarrassment. I really hate it.

This participant succinctly articulates a common sentiment expressed by the people we interviewed: because un-housed people are a palpable, visible reminder of the city's and indeed larger society's failure to effectively assist many of its most vulnerable citizens, every effort should be made to render these people invisible to outsiders.

“The ‘Good’ Police”: The Homeless Outreach

Team (HOT)

The HOT was exceedingly well known to the people we spoke to, with nearly 90% of our brief interview participants stating that they knew who the HOT is and what they do. Some participants had unequivocally good things to say about the HOT, describing it as “the ‘good’ police,” “very helpful,” and that the HOT is “on our side.” The HOT is especially known to offer important assistance for people in crisis, as one of its primary functions is to transport people in physical or mental distress to the hospital. The HOT is also well known for helping to find a shelter bed for people who want it, either as a possible pathway to permanent housing or as a temporary respite from being on the street.

However, only 20% of our brief interview participants reported having received help from the HOT recently. Of those 20%, most described the HOT taking them to one of the local shelters or driving them to the Department of Motor Vehicles to get an ID card. When we asked why people had not accepted help from the HOT when offered, a few participants expressed a mistrust of the HOT due to its affiliation with the police department. As two of our interviewees put it, “I don’t mess with the police,” and “I don’t want their help because they wear a badge and I don’t trust them.” A more consistent response was related to the lack of a clear pipeline from the initial outreach and assistance the HOT offers, primarily to shelters which many people view as dangerous and otherwise undesirable places to stay, to permanent housing. Several of our participants noted that in this way, the housing connections the HOT is able to make are temporary in nature, and people are most often back out living on the street in 60 to 90 days. This reduces the legitimacy of the entire system; people instead decide to look out for themselves rather than to falsely get their hopes up going through a system that has repeatedly failed them.

Further, the HOT was viewed by some participants as being “too selective,” in that the referrals the HOT is able to make for permanent housing are frequently contingent upon the individual qualifying for and receiving SSI (Supplemental Security Income, for people older than 65 years or those with a long-term disability). Several of our participants became visibly frustrated when describing their encounters with the HOT that ended up in a dead-end. As one of our interviewees stated bluntly, “I’m not pregnant and don’t have any money so they’re not very helpful right now.” The accumulation of these experiences reduces trust in and willingness to accept help from the HOT. Thus, the HOT is understood by some of the people with

whom we spoke as yet another empty promise of a city that wishes they would just disappear: the HOT is a highly visible, often touted effort at inclusion, but the net result for many of its clients is more exclusion. As one of our participants put it, “they’re a publicity stunt.”

Discussion

In sum, our findings point to the need to fundamentally reconsider how police forces are used in response to homelessness, and to deeply examine whose quality of life is actually being improved through “quality of life” policing tactics. As our participants’ narratives make clear, the aggressive policing of un-housed people, through encampment sweeps and the use of a municipal code against “encroachment” to issue tickets and make arrests, functions to push un-housed people further into the margins of society. In this way, the City of San Diego is using its police force to erase—but not meaningfully address—homelessness, particularly in areas in which redevelopment efforts are underway. As Lipsitz (2013) observes, citizens often consent to aggressive policing tactics out of a belief that they will ensure their safety. Yet as Lipsitz shows, and as our data confirm, the criminalization of homelessness has the net effect of destabilizing and reducing the safety of communities by creating an environment in which the most vulnerable citizens do not have a right to feel safe and protected.

Young (2007) observes that techniques of dehumanization allow us to treat the other, the “good enemy,” inhumanely. As Young suggests, “we can act temporarily outside of our human instincts because we are dealing with those who are acting inhumanely” (pp. 35–36)—in this case, living in what the outside observer perceives to be the squalor of tent cities and other Skid Row-like configurations. Narratives of the people with whom we spoke reflect a pervasive sense of being made to feel “less than human” in encounters with police. While these negative perceptions are concerning enough on their face, they have even more troubling long-term implications. A common stereotype of people living in chronic homelessness is that they do not want permanent housing and that they refuse help when it is offered because they “enjoy” living on the streets. In reality, our data suggest that police encounters communicate important messages to un-housed people about how society views them and that these messages in turn shape how trusting people may be of any assistance when it is offered to them.

What remains less clear is who is involved in sending these messages. The data presented here cannot shed light on the frequency with which police

contact is initiated as part of routine patrol practices, as compared to in response to calls for service. Housed people have wide-ranging views of un-housed people, many of which may be driven by stereotypes rather than substantive concerns. More research is needed on the extent to which police contact is initiated by housed residents' calls for service and the mechanisms through which the aggressive policing of un-housed people is initiated and sustained by non-police actors.

Regardless of the drivers of aggressive policing, our findings make clear that these punitive tactics may substantially hinder the efficacy of service efforts such as police outreach teams. As our findings suggest, while police-social service hybrid models like the HOT have the goal of helping people in crisis and connecting un-housed people with housing and other services, they often have limited means of helping clients to circumvent the structural exclusion associated with a fiercely competitive housing market, and one in which affordable housing is sparse. In this way, the HOT as an institutional response to homelessness indicates to its clients, and indeed, to the broader community, that "success" is possible—that they can obtain safe, stable housing, and that the City is helping them to do so—yet it is later revealed that this is structurally impossible for all but the most qualified and "deserving."

A positive aspect of the HOT model is that it tries to reduce the drain on police patrol resources, offering an efficient, non-punitive response to people in crisis, while also perhaps improving perceptions of the police as both responsive to community concerns and as providing assistance beyond the scope of law enforcement. These are important potential contributions of the HOT, especially because as other researchers have noted, encounters with un-housed people are often emotionally challenging for police officers, even for those with special training in how to interact with people with mental health issues (McLean & Marshall, 2010; Simpson, 2015). McNamara, Crawford, and Burns (2013) likewise found that officers across the United States report feeling frustrated and overburdened by issues related to homelessness and suggest that tensions between police and un-housed people are due in part to "a lack of understanding of the problem as well as an overly legalistic view about homelessness" (p. 369).

Furthermore, as our participant who referred to the HOT as a "publicity stunt" noted, a consequence—intentional or not—is that as aggressive policing continues, police outreach teams appear to be a public relations cover for the police department to appear benevolent, while simultaneously using punitive tactics elsewhere. From our participants' perspective then, this contradiction appears to be

deliberate, and all the more reason for governmental institutions to not be trusted. As this is one of the first academic studies we are aware of that examines people's perceptions of and experiences with police homeless outreach teams, more research is needed on how such teams are perceived in other jurisdictions, both where police enforcement is lower and where affordable housing may be more readily available.

Conclusion

Our data also point to the need for a more deliberate and coordinated effort to assist people who are living in homelessness, especially those who are already criminalized in some way. It is telling that the vast majority of our participants who reported being on some form of community supervision stated that they had not received help from that agency to find housing. More scholarship is needed on community supervision's role in linking un-housed, criminalized people to housing support, especially in jurisdictions like California where alternatives to incarceration are being employed more frequently. It is equally troubling that several of our participants viewed the HOT as too "selective" or unable to help them if they did not currently have a source of income. These findings highlight the need for more creative, comprehensive, place-specific solutions that seek to circumvent or even eliminate structural exclusion—and that do not involve law enforcement—such as those being tested in Atlanta (Open Doors, 2017) and Houston (The Way Home, 2017). Perhaps most importantly, however, our findings underscore the extensive and potentially irreparable harm done by aggressive order maintenance policing tactics, both to the individuals who are the subjects of police scrutiny and to police legitimacy more generally, and point to a need to fundamentally rethink how policing is used as a response to homelessness.

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Endnotes

¹ Critical scholars have argued that the term "homeless" is inadequate for categorizing people who lack stable housing (Mitchell, 2011). As was readily evident in speaking with our participants, people create a sense of home even while lacking consistent shelter. Yet, as Speer (2017) notes, city officials frequently view "alternative domestic spaces as non-homes worthy of destruction" (p. 517), and "homeless" is often used as a disparaging descriptor to denote deviance and marginality. Thus, this adjective can be used to justify punitive, marginalizing responses to homelessness. We use the general term "un-housed" and the more specific term "living on the street" to refer to the circumstances of our participants. We do so in an effort to reflect important distinctions between the so-called "street homeless"; "sheltered homeless," who live in shelters and other temporary forms of housing; and the "hidden homeless," who may couch-surf, live in vehicles, or move from hotel to hotel.

² For examples: substance abuse in *Robinson v. California* 370 U.S. 660 (1962); "vagrancy" in *Papachristou v. City of Jacksonville*, 405 U.S. 156 (1972); and public intoxication of a chronic alcoholic in *Powell v. Texas* 392 U.S. 514 (1968).

³ In 2011, in anticipation of the Supreme Court's ruling in *Brown v. Plata*, California passed the Public Safety Realignment Act, also known as AB (Assembly Bill) 109, which sought to alleviate overcrowding in the state's prisons by shifting responsibility for people convicted of some low-level offenses from the state to the counties. These people now typically serve either shorter sentences in local jails and/or are placed on a special form of county probation (see Petersilia, 2013). Three years later, in 2014, California voters passed Proposition 47, the Safe Neighborhoods and Schools Act, which reclassified six drug and property crimes from felonies to misdemeanors. Lastly, Proposition 57, the Public Safety and Rehabilitation Act of 2016, increases opportunities for state prison inmates to earn credit for good behavior and hastens parole review for inmates convicted of non-violent offenses who have served their full sentence.

⁴ As Lippert & Walby (2013) point out, policing happens in a wide range of ways that are not exclusively the domain of public law enforcement agencies. While our focus here has been on local public police, future research should examine the non-police entities—both public and private—that are entrusted with the authority to issue tickets and otherwise encourage the displacement of un-housed people.

⁵ IRB approval for this project was obtained under protocol number 2254098.