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HOMELESS ENFORCEMENT

Presented by:

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CURTIS WRIGHT

ABATEMENT ATTORNEY



- A. Nuisance Abatement Enforcement**
- B. Code Enforcement Law**
- c. Admin, Civil, Criminal**
- D. Receiverships**
- E. Inspect/Abate Warrants**
- F. Cannabis**
- G. Cost Recovery**
- H. Army Ranger, Combat Veteran**
- I. CCEO, CACEO Board, Football Coach**





LEAGUE OF
CALIFORNIA
CITIES



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HOMELESS BOISE



A. *Martin v. Boise* (9th Cir 2018)

1. Camping Prohibited on Public Property.
2. Some shelter beds available, but not enough for all homeless.

B. **Right to Exist** (8th Amend)

1. Sleeping is Human Necessity.
2. Cruel & Unusual to Punish Need to Sleep.
3. Insufficient Shelters = No Criminal Intent.
4. Must have enough shelter beds for all to enforce against any.

**HOUSING
NOT
HANDCUFFS**



HOMELESS GRANTS PASS

A. *Johnson v. Grants Pass* (9th Cir. 2022)

1. Public Sleeping Allowed, But Can't Have Car nor Property.
2. Class Action allowed.

B. **Right to Exist** (8th Amend)

1. Extends *Boise*.
2. Must Allow Rudimentary Protections from the Elements.
3. No Admin nor Civil Punishments.





HOMELESS GRANTS PASS

c. USSC (2024)

1. *Boise & Grants Pass Reversed.*
2. *Anti-Camping Enforcement Restored.*
3. *Anti-Camping is Conduct Enforcement, not Homeless Status Punishment.*
4. *Punishment Normal, not Cruel & Unusual.*
5. *8th Amend about Punishment, not Conduct.*
6. *Due Process & 4th Amend Seizure may apply.*
 - a. *Ninth Circuit Wiggle Room.*
7. *Homeless is Political Issue.*
 - a. *CA Legislative Wiggle Room.*



THE
STORY

HOMELESS OTHER CASES

A. CalTrans (2022)

1. Reversed—Injunction delaying Homeless Camp removal unless CalTrans approved camp on alternative property.
2. No Self-Imposed Assumption of Duty.

B. Orange County

1. Holding/Retrieval Area Distance.



GOVERNOR ORDER

A. Encampment Enforcement

1. CalTrans Model
2. H&S Prioritization
3. Pre-Removal Notice (48 hours) unless Urgency
4. Housing & Supportive Services
5. 60-Day Property Storage

B. Local Gov Funding

1. \$24B Statewide
2. \$4.85B—Housing
3. \$3.3B—Project HomeKey
4. \$3.3B—Mental Health & Substance Abuse
5. \$1B—Encampment Resolution





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A. Discussion

B. Questions

c. Anecdotes

D. Hypotheticals





CONCLUSION!



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