


## Understanding the Implications of a Punitive Approach to Homelessness: A Local Case Study

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*Cities large and small are increasingly using public safety policies to address local concerns about homelessness. In 2013, Chico, California, followed suit by passing several ordinances, most notably, a “sit-lie” ordinance that prohibits individuals from sitting or lying in commercial districts and other public spaces. Broadly, this article explores the implications of this punitive approach to homelessness. Specifically, relying primarily upon arrest data extending over six and a half years, we explore how enforcement of the sit-lie ordinance affected arrest rates of homeless individuals, as well as the geographic location of those arrests. Our expectations are supported—arrests of homeless individuals increased significantly in the “post sit-lie” period, and the location of arrests clearly shifted away from the downtown area. Finally, given economic motivations of the ordinances, we estimate the costs to city law enforcement of policing the homeless population and find that costs are nearly twice as large as police department estimates.*

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**KEY WORDS:** homelessness, ordinances, natural experiment

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### 解读惩罚性措施对无家可归者造成的影响：一项地方案例研究

不论是大城市还是小城市，都越来越多地采取公共安全政策处理有关无家可归的问题。2013年，加利福尼亚州的奇科市就此问题也跟着出台了一些法令，其中最引人注目的是“禁止坐躺”（Sit-lie）法令，该法令禁止人们在商业区和其他公共场所随地就坐或躺下。概括而言，本文将探讨这种惩罚性措施对无家可归者可能造成的影响。具体而言，本文将主要对超过六年半的逮捕数据进行分析，以探讨“禁止坐躺”法令的执行是如何影响无家可归者的被逮捕率及其被逮捕的地理位置。我们的预期也得到了证实——在“禁止坐躺”法令出台期间，对违反这一法令的无家可归者的逮捕大幅上升，并且逮捕地点明显远离了市区。最后，考虑到该法令的经济动机，笔者预估了城市执法机关对无家可归者进行治安管制的成本，并发现该成本几乎是警察部门预估的两倍。

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## Comprendiendo las implicaciones de un acercamiento punitivo para el desamparo: un estudio de caso local

*Las ciudades, tanto grandes como pequeñas, están utilizando más y más políticas de seguridad pública para abordar temas locales que tienen que ver con el desamparo. En 2013, Chico, CA siguió este ejemplo al aprobar varias reglas, más notablemente, la regla de “sentar-acostar” que prohíbe a los individuos sentarse o acostarse en distritos comerciales y otros espacios públicos. En general, este documento explora las implicaciones de esta aproximación punitiva para el desamparo. Específicamente, el apoyarse primordialmente en datos de arrestos que se extienden a más de seis años y medio, exploramos cómo la acción policíaca de la regla “sentarse-acostarse” tuvo un impacto en la proporción de arrestos de individuos sin hogar, así como también la ubicación geográfica de esos arrestos. Nuestras expectativas están sustentadas – los arrestos de los individuos sin hogar incrementaron significativamente en el periodo después de la regla “acostarse-sentarse” y la ubicación de los arrestos claramente se mudó fuera del área central de la ciudad. Finalmente, dadas las motivaciones económicas de las reglas, estimamos que los costos para la ciudad de la acción policíaca en contra de la población desamparada, y encontramos que los costos son el doble de lo que estima el departamento de policía.*

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### Introduction

Municipalities around the country are concerned about persistently high and increasing rates of homelessness. While most cities use multiple approaches to address homelessness, increasingly, these approaches include laws that penalize the homeless population for basic activities associated with living without shelter (e.g., Amster, 2003; Foscarinis, Cunningham-Bowers, & Brown, 1999; National Law Center on Homelessness and Poverty, 2016; Robinson, 2017; Smith, 1994; United States Interagency Council on Homelessness, 2012). For example, ordinances that restrict sitting, lying, or sleeping in public areas, such as downtowns, and prohibit the use of shelter or storing property through “camping” bans primarily affect those living without shelter (Loveland, 1991; Tars, Johnson, Bauman, & Foscarinis, 2013; Wakin, 2008; Whelley & McCabe, 2016). Additionally, the scope of these quality-of-life ordinances is expanding, with cities increasingly enacting citywide rather than place-specific bans (National Law Center on Homelessness and Poverty, 2014, pp.17–18). In California, the state with the most “homeless” ordinances, communities continue to pass quality-of-life laws to address homelessness (Fisher, Miller, Walter, & Selbin, 2015).

In light of this trend, it is essential to understand the effects of a public safety approach to homelessness, with the hope of using systematic evidence to inform public policy around this issue. To this end, we employed a natural experiment in a local case to examine how a sit-lie ordinance impacted arrest rates of homeless individuals, the geography of those arrests, and the costs of arresting individuals experiencing homelessness.

We drew upon theory across the disciplines of political science and criminal justice to inform our expectations. Based upon the principal-agent theory, we argued the sit-lie ordinance signaled the community desire for increased policing

of the homeless population. We expected this to result in increased arrests of homeless individuals, despite the fact that a citation for the sit-lie ordinance is, in and of itself, not an arrestable offense.<sup>1</sup> In addition to an increase in the arrest rate of homeless individuals, we expected the geography of arrests of homeless individuals to shift over time. This expectation is grounded theoretically in the literature on crime displacement, and intuitively on the public discourse around the ordinance, which focused on the cleanliness and safety of the downtown business area.

The project has varied and multiple purposes and contributions. First, by assessing the impacts of a public safety approach in a local case, the project contributes to a growing and interdisciplinary scholarly literature evaluating the effectiveness of criminalizing homelessness (e.g., Berk & MacDonald, 2010; Robinson, 2017). Second, given that research can improve public policy (e.g., Lum, 2009; Straf, Prewitt, & Schwandt, 2012; Weiss, 1999), ideally, this work will be used to inform public policy at the local level, especially adoption of quality-of-life ordinances that disproportionately affect the homeless population. The potential impact of our case study of a rural college town in Northern California is especially large, given that rural homelessness is growing significantly in California (Fagan & Graham, 2017), simultaneous with increased reliance on ordinances to address homelessness (Fisher et al., 2015).

### **Punitive Approaches to Homelessness**

Motivations for laws that criminalize homelessness vary. Consistent with “quality-of-life” policing, some assert that ordinances prohibiting and restricting activities of the homeless are necessary to push individuals into supportive services (e.g., Gregoire & Burke, 2004; Johnsen & Fitzpatrick, 2010; Limebury & Shea, 2015; Mead, 1997; Schram, 1999). This motivation has also been called “coercive care,” and it is associated with a tough love logic—that individuals need a specific impetus or motivation to move into shelters and receive services.<sup>2</sup>

Often these local ordinances are motivated by concerns of business owners, rather than being justified based on concerns for the well-being of individuals experiencing homelessness (e.g., Fang, 2009; Foscarinis, 1996; Mitchell & Staeheli, 2006). Attending and independent of these motivations is the concern that high-density homeless populations increase crime in occupied areas (e.g., Berk & MacDonald, 2010).

In the case examined in this study, financial and economic motivations for a punitive approach to homelessness appear to dominate. Specifically, the downtown business community was especially concerned about costs to businesses resulting from behaviors of the homeless community, as well as lost revenues resulting from these behaviors. For example, in a 2012 survey of downtown businesses (Nevarez, 2012),<sup>3</sup> a majority of responding businesses reported challenges such as individuals loitering and deterring customers, or having to clean up business entrances, at least once a month.<sup>4</sup> Respondents overwhelmingly identified the homeless and transient population as responsible

for these behaviors, and identified the city and police as being responsible for addressing the challenge.<sup>5</sup> Additionally, in a 2013 workshop of the Clean and Safe Action Group, an affiliate of the Downtown Chico Business Association, ordinances preventing sitting and lying in the downtown area were discussed as a means to address the presence of homeless individuals in the downtown business area.

Although financial costs of homelessness to businesses were not specifically measured by the survey, some respondents provided qualitative data related to the cost of negative behaviors to their businesses. Several businesses reported buying a video or security system to monitor their business, replacing stolen property, and/or repairing vandalism perceived to be caused by the homeless. Others mention the cost of employee time spent cleaning up waste outside of their business thought to be left by homeless individuals or taking time away from customers to interact with homeless people in some manner.

In addition to the financial concerns of business owners, fiscal motives on the part of the city government also drove policy changes. Specifically, enhancements to the camping ordinance and storage of public property ordinances were driven, in part, by the costs to the city in cleaning up homeless encampments (Scharaga, 2015a).

While the punitive approach is not new in Chico,<sup>6</sup> economic and financial arguments were successful in motivating the passage of additional laws to address the homeless population. In November 2013, the city council passed the "sit-lie" ordinance, restricting individuals to sit or lie in public sidewalks, curbs, or streets adjacent to commercial properties (CMC 9.44.015). In September 2015, several codes were added or expanded to enhance the existing law enforcement tools to address the homeless population. Specifically, the "sit-lie" ordinance was expanded to include entrances to public buildings (CMC 9.44.018), the code on camping was expanded to prohibit the storage of private property in public places (CMC 9.20.050), and chapters were added to the municipal code regarding protection of waterways (CMC 9.50) and definition and regulation of the civic center (CMC 9.43). Chapter 9.5 includes a specific ordinance prohibiting camping in waterways (CMC 9.50.030).

Scholarship as well as community analyses have turned to understanding the effectiveness of these laws. For example, several studies examine the effects on homeless individuals, such as the perpetuation of poverty (Herring & Yarbrough, 2015), and the use of shelters and services (Robinson, 2017). Other studies have explored the issue systemically, examining costs associated with greater policing of the homeless community (Adcock et al., 2016), as well as the use of ordinances to displace those in poverty from specific spaces (Gustafson, 2013).

At the same time that scholarship around these laws has increased, so too have the laws, and challenges to these laws in the courts. In a March 2016 report, the National Law Center on Homelessness and Poverty found that out of 187 cities surveyed, 47 percent had local laws in place that prohibit sitting and lying down in public places (NLCHP, 2016). This represents a 52 percent increase over

10 years. Civil rights groups have increasingly challenged these laws in court, and recently the U.S. Department of Justice issued a strong assertion by way of a Statement of Interest brief in the case of *Bell v. Boise*, in which it said, “[i]t should be uncontroversial that punishing conduct that is a universal and unavoidable consequence of being human violates the Eighth Amendment. . . . Sleeping is a life-sustaining activity—i.e., it must occur at some time in some place. If a person literally has nowhere else to go, then enforcement of the anti-camping ordinance against that person criminalizes her for being homeless” (Statement of Interest of the United States, 2015).

Despite the proliferation of these laws, there is little evidence as to their effectiveness in terms of cost savings to businesses and municipalities. Advocates speculate that this is due to the cyclical nature of the cost of enforcing such crimes and also the lack of getting to the root causes of the problem, such as a lack of affordable housing (Howard, Tran, & Rankin, 2015). Captured well in a recent report from Freddie Mac, in 2010, 11.2 percent of rental units across the United States were considered affordable for very low-income households. By 2016, only 4.5 percent of houses were deemed affordable for this same population (Freddie Mac, 2016). An artifact of changing housing policy at the national level, there can be no doubt as to the dire nature of this problem. Solutions are so far elusive, as cities and rural communities seek ways to balance human rights and economic agendas.

### Theory and Hypotheses

As a way to further our understanding, this study focused on the law enforcement implications of quality-of-life ordinances. The Chico Police Department provided the requested arrest and citations data, covering a six-and-a-half-year period, roughly bisected by the implementation of the sit-lie ordinance. With this focus on law enforcement implications, we specified three research questions: How did sit-lie affect arrest rates of homeless versus housed individuals? Did sit-lie affect the geography of arrests of homeless individuals? Did the sit-lie ordinance affect the costs of arresting or citing individuals experiencing homelessness?

With respect to the first question, we hypothesize higher arrest rates of homeless individuals in the post sit-lie period. As the sit-lie ordinance was originally written, tickets for violating the sit-lie or property storage ordinance are infractions, not misdemeanors or felonies that are arrestable offenses; there should be no direct relationship between the passage of these ordinances and arrests appearing in the arrest record.<sup>7</sup> However, given the extended public debate regarding the sit-lie ordinance, and the clear concerns of the business community, we argue the city council and important local constituencies signaled the desire for greater policing of the homeless population by the passage of the sit-lie ordinance. We expect this signal to result in higher arrest rates of homeless individuals in the years after sit-lie relative to the preceding years.

This expectation is informed, in part, by principal-agent theory. Originally pioneered in the insurance industry (Spence & Zeckhauser, 1971), principal-agent theory is a modeling technique used to understand interactions in the context of asymmetrical information. For example, principal-agent theory has been adopted in political science to understand how Congress (the principal) induces bureaucracies (the agents/experts) to implement policy (e.g., McCubbins & Schwartz, 1984; Weingast & Moran, 1983). More broadly, principal-agent theory is helpful in understanding how and why outcomes may deviate from the intentions of a principal or powerholder.

With respect to the first research question, several studies within the extensive principal-agent literature suggest that the political salience of an issue influences agency action (Lee, 2006; Worsham & Gatrell, 2005). Local police departments are agents to multiple principals, including city councils, city managers, and local publics broadly. In the context of multiple principals, agents receive an abundance of directives, some of which may conflict. In the context of multiple principals and directives, agents use the salience of an issue as a signal (Worsham & Gatrell, 2005). We argue that the salience of concerns regarding the homeless population, and especially the safety and cleanliness of the downtown area, was made very clear to the Chico Police Department with the passage of the sit-lie ordinance in November 2013. We expect this issue salience signaled to the police department the need for greater policing of the homeless population, resulting in higher arrest rates of homeless individuals in the post sit-lie period.

In addition to higher arrest rates, and with respect to the second research question, we hypothesize the geography of homeless arrests to change after passage and enforcement of the sit-lie ordinance, with homeless arrests moving out of the downtown area. As discussed above, concern from downtown Chico business owners about costs and lost revenue was a driving motivator of the original sit-lie ordinance. Additionally, the original ordinance was written specific to commercial areas (9.44.015) and was then expanded to include entrances to public buildings (9.44.018). For these reasons, we expect individuals experiencing homelessness to avoid the downtown area in the post sit-lie period, and we use homeless arrests as a proxy.

This logic is intuitive and may appear obvious given the public discourse and motivation for sit-lie. However, this idea is also consistent with a robust theoretical and empirical literature in criminal justice—crime displacement theory. This idea asserts that measures to prevent crime may just displace rather than reduce it (e.g., Gabor, 1981; Reppetto, 1976). While evidence for displacement has been mixed, depending in part on the type of preventive measure employed (see discussion in Hesselting, 1994), several studies show that increased police presence in specific areas resulted in displacement of crime to other locations (e.g., Fabrikant, 1980; Hakim & Rengert, 1981; Mehay, 1977). Similar to the broader literature on crime displacement, studies of policing homelessness also show mixed results with respect to crime displacement. Gustafson (2013) shows quality-of-life ordinances led to explicit displacement of homeless individuals, to jail or other communities,

whereas Berk and MacDonald (2010), show that crime displacement did not occur with intensive place-based policing of LA’s skid row area.

Displacement may be especially likely in this case, given the unique nature of the prevention. Rather than just additional enforcement in the downtown area as a result of sit-lie, the preventive measure was also the passage of the ordinance itself, criminalizing the act of being homeless in a specific area. This likely serves as a clear motivation for homeless individuals to move outside of the downtown business district. Then, if the individual also commits a crime, it is likely to occur outside of the downtown commercial area. Given this, coupled with our expectation discussed above regarding increased policing of the homeless population, we expect the location of arrests of homeless individuals to shift away from the downtown area after implementation of the sit-lie ordinance.

### Methodology and Results

To test our expectations, we relied on arrest and citations data provided by the Chico Police Department. Specifically, the Chico Police Department provided longitudinal arrest records, which include information regarding the offense, the location of the arrest, and the home address of the arrested individual. When the individual is homeless, this is documented. In addition to arrest records, which include only felony and misdemeanor offenses, the Chico Police Department also provided citations data. While these data are not as complete as the arrest records and do not include whether the cited individual is homeless, the data allow analysis of the citations that are primarily used to police the homeless population, such as panhandling or the sit-lie ordinance. Finally, for the estimation of costs of arresting the homeless individuals, the police also provided estimates of time and cost per arrest, citation, and dispatch.<sup>8</sup>

To understand the law enforcement implications of a punitive approach to homelessness, we employ a natural experiment comparing law enforcement data preceding and following enforcement of the sit-lie ordinance. Specifically, we explore arrests and citations data between January 1, 2010, and June 30, 2016,

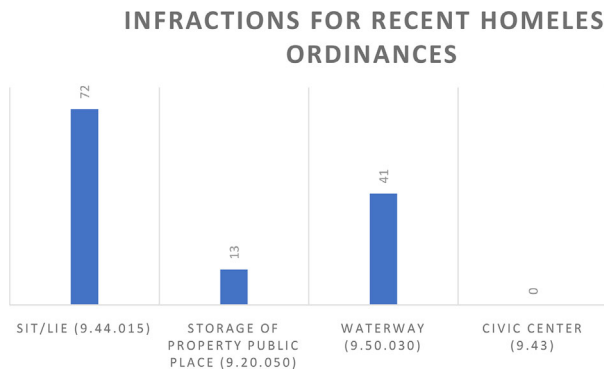


Figure 1. Number of Infractions Written per Ordinance.

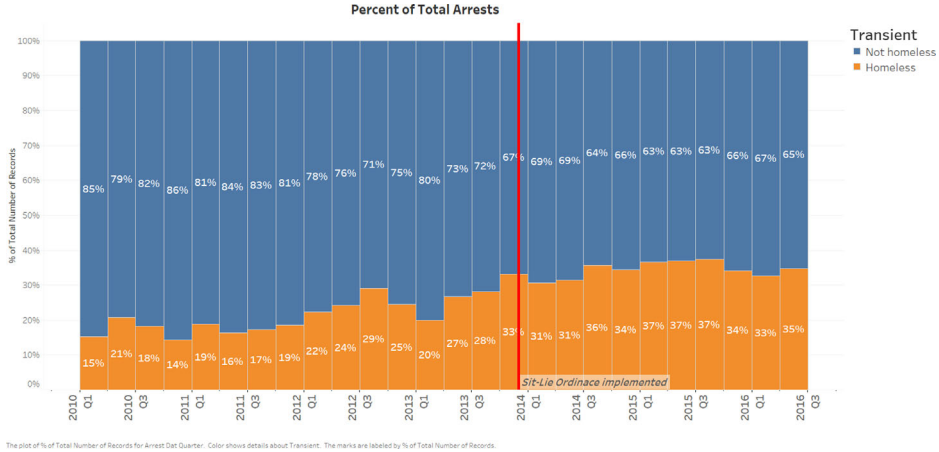


Figure 2. Arrests by Housing Status.

with enforcement of sit-lie occurring on December 19, 2013, roughly bisecting this period.<sup>9</sup>

As the arrest record is the most comprehensive data set we use, a few additional notes are in order. The arrest record data take each arrest as the unit of analysis, and thus a single individual may appear in the data multiple times. Additionally, each arrest can include multiple charges. To estimate the additional cost of an arrest with multiple charges, we created a variable that provides the number of charges associated with each arrest. Critically, the arrest data include the address of the arrestee, and when the individual is homeless, the data include terminology such as “homeless” and “transient.” Individuals were coded as homeless if the address is given as a homeless shelter, or if terminology relating to “homeless” or “transient” appears in the address column. Over the specified period, the arrest data include 29,060 observations. A total of 26.5 percent of the arrests in the data are associated with individuals experiencing homelessness.

Prior to exploring the arrest record, it is useful to first understand how the ordinances of interest, such as sit-lie, are used by the police department. As the Chico Police Department has noted in several public forums, sit-lie citations have

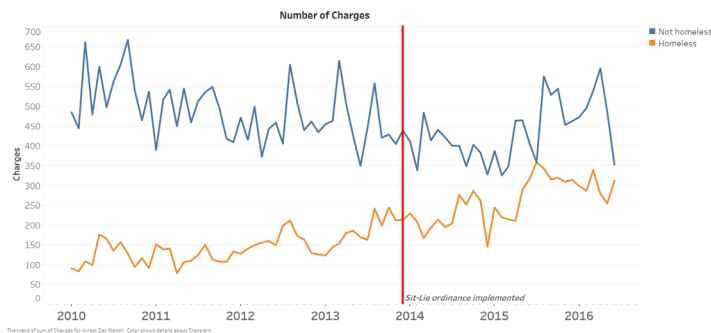


Figure 3. Number of Charges by Housing Status.



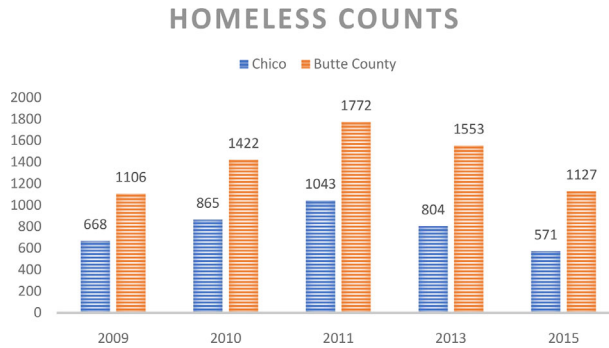


Figure 4. Homeless Counts.

been written minimally, and often occur as a last resort. A count of infractions written for the new ordinances in the data provided by the police department bears this out. Between December 2013 and June 30, 2016, a total of 126 infraction citations were written with respect to the ordinances described in the previous section (see Figure 1). For the sit-lie ordinance, this amounts to .08 citations written per day between December 19, 2013, and June 30, 2016. Similarly, per day, .04 citations were issued for the expanded camping ordinance, and .14 citations were written daily for the protection of waterways ordinance. No citations were written for the civic center ordinance during the specified period (September 15, 2015–June 30, 2016).<sup>10</sup>

While citations for the ordinances are relatively rare, as discussed above, we expect that passage of sit-lie signaled to police the need for additional policing of the homeless population.

As a first pass at understanding whether arrests of homeless individuals increased after sit-lie, Figure 2 graphs arrests of homeless versus housed individuals over time during the period of review. Additionally, because one arrest can include multiple charges, we also examine changes in the number of charges per arrest in Figure 3. Both figures clearly show increases in arrests and charges of homeless individuals.

It is possible that the increase in arrests of homeless individuals is due to an increase in the homeless population in Chico. However, the federally mandated counts of homeless individuals (Point in Time surveys) do not suggest this is the case. Rather, Figure 4 suggests the trend in homelessness both in Chico and Butte County is moving in a different direction than the trend in homeless arrests. According to the PIT surveys,<sup>11</sup> homelessness peaked in 2011 and declined in

Table 1. Cross-Tabulation of Arrests Pre and Post Sit-Lie\*

	Pre Sit-Lie	Post Sit-Lie	Total
Not homeless	78.4% (14,068)	65.6% (7,291)	73.5% (21,359)
Homeless	21.6% (3,876)	34.4% (3,825)	26.5% (7,701)
Total	100% (17,944)	100% (11,116)	100% (29,060)

\**p* < .01.

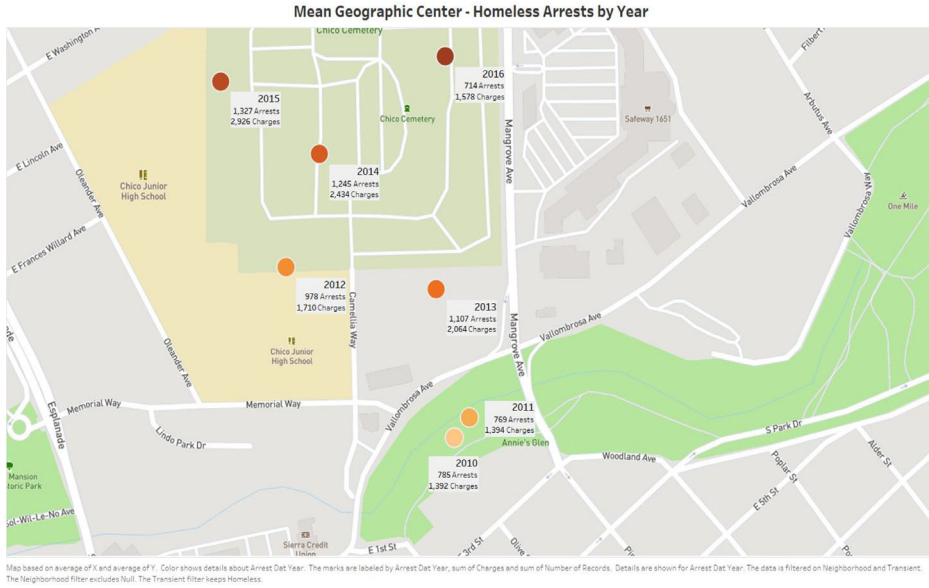


Figure 5. Mean Location of Homeless Arrests.

2013 and 2015, a trend running in the opposite direction of the trend in the arrest record.

To further investigate the trend in arrests of homeless versus housed individuals, we explored whether there was a statistically significant increase in the number of arrests of homeless individuals after sit-lie went into effect. Table 1 presents a cross-tabulation of arrests by housing status before and after sit-lie. Prior to sit-lie, 21.6 percent of the arrests were of homeless individuals, and after sit-lie, this increased to 34.4 percent. Put another way, prior to the passage of the sit-lie ordinance, 2.7 homeless individuals were arrested per day in Chico. After sit-lie was implemented, 4.1 homeless individuals were arrested per day. To understand whether this is a statistically significant difference, we conducted a chi-square test, and the result was statistically significant.<sup>12</sup> This supports our first expectation, that arrests of homeless individuals increased with the passage of punitive ordinances.<sup>13</sup>

Table 2. Time and Cost Estimates of Public Safety Activity

Activity	Personnel	Number of Personnel Involved	Hourly Pay Rate	Total Time Spent (in Minutes)	Cost Attributed
Dispatch	E Step Public Safety Dispatcher II	2	\$22.34	5	\$3.72
Citation	C Step Patrol Officer	2	\$30.32	30	\$30.32
Arrest	C Step Patrol Officer	2	\$30.32	1 charge = 90 2+ charges = 120	\$90.96 \$121.28
Booking	E Step Community Services Officer II	1	\$21.29	60	\$21.29

**Table 3.** Cost of Policing Homelessness, January 1, 2011–June 30, 2016

Activity	Number of Occurrences	Cost	Total Cost
Citation	1,243	Dispatch (\$3.72) + 2, C Step Patrol Officers for 30 min (30.32)	\$42,311.72
Arrest with one charge	3,453	Dispatch (\$3.72) + 2, C Step Patrol Officers for 90 min (90.96) + 1, E Step Community Services Officer II (21.29)	\$400,444.41
Arrest with two or more charges	3,003	Dispatch (\$3.72) + 2, C Step Patrol Officers for 120 min (121.28) + 1, E Step Community Services Officer II (21.29)	\$439,308.87
		Total cost	\$882,065.00

In addition to affecting the level of policing of the homeless community, we also expect that the sit-lie ordinance affected the geography of where homeless individuals stay, and thus where homeless individuals might be arrested. As a first attempt to test this expectation, we geo-coded arrest locations. Figure 5 presents the mean location of arrests of homeless individuals, by year. A clear trend can be detected; the mean location of arrests moves gradually north over time.<sup>14</sup> Again, this clearly supports our expectation, though additional analysis is necessary to determine whether these are statistically significant changes.<sup>15</sup>

To this point, the discussion of implications of Chico’s punitive approach has focused on trends in policing the homeless before and after the sit-lie ordinance went into effect. As mentioned in the previous sections, though, part of the motivation behind the passage of sit-lie and other public safety ordinances around homelessness was financially motivated: to address concerns of downtown business owners regarding costs and lost revenue, as well as costs to the city in cleanup of property.

For this reason, to fully evaluate the effectiveness of the punitive approach, it is also important to understand the costs to law enforcement. To this end, using arrests and citation data over the period January 1, 2010, to June 30, 2016, as well

**Table 4.** Number of Infractions and Cost, by Violation—January 1, 2010–June 30, 2016

Description	CMC Violation	Number of Infractions	Estimated Cost/Infraction	Estimated Cost
Camping	9.20.030	77	\$30.32	\$2,334.64
Park/no camping or overnight stay	12R.04.030	346	\$30.32	\$10,490.72
Store property in public place	9.20.050	13	\$30.32	\$394.16
Waterway/camping	9.50.030B	31	\$30.32	\$939.92
Waterway/store personal property	9.50.030C	10	\$30.32	\$303.20
Sit-lie	9.44.015	72	\$30.32	\$2,183.04
Panhandling	9.54.020 9.54.020 (K) 9.54.020 (J) 9.54.020 (L)	103	\$30.32	\$3,122.96
Total		652		\$19,768.64

**Table 5.** Costs of Arrest Pre and Post Sit-Lie

Time Period	Number of Days	Total Cost of Arrests	Average Daily Cost
January 1, 2010–June 30, 2016	2,373	\$882,065.00	\$371.71
January 1, 2010–December 18, 2013	1,448	\$457,166.92	\$315.72
December 19, 2013–June 30, 2016	925	\$424,898.08	\$459.35

as estimates of police time and costs provided by the Chico Police Department for the 2015/16 Grand Jury Report, we estimated the costs of arrests, citations, and dispatch for arrests and citations of homeless individuals during the period of review.

This estimate includes activity of public safety personnel related to responding to, citing, or arresting homeless individuals, recognizing that police activity varies widely and that any estimates need to be understood with this limitation in mind. Table 2 includes the list of activities and associated costs that are included in the analysis. Importantly, these estimates do not include all of the contacts between homeless individuals and public safety personnel that did not end in a citation or arrest, and also excludes activity outside of arrests and citations, such as cleanup of homeless encampments. Additionally, we have limited the scope of this project to the municipality of Chico, California. For this reason, costs borne to the Butte County Jail, where those arrested are housed, are not included in the cost analysis.

Based on the estimates of average time and costs to law enforcement for dispatch, citations, arrests, and booking of homeless individuals in Table 2, we estimate costs of these activities to be \$901,833.64 for the period January 1, 2010, to June 30, 2016. Per year, this equates to \$138,743.64.

Table 3 details the cost estimate based on the arrest record data, which includes information regarding the housing status of the arrested individual. However, non-misdemeanor citations (infractions) are also written to homeless individuals. Unfortunately, the infractions records do not include housing status of the individual. Instead, we counted and associated a cost with infractions that are most likely to be written to individuals experiencing homelessness. Table 4 provides specific estimates for each ordinance.

For additional context, we calculated the costs of arrests pre and post sit-lie, provided in Table 5. Consistent with our finding that arrests of homeless individuals increased after sit-lie, the costs estimate shows an increase in costs associated with policing the homeless population in the post sit-lie period.

In the grand jury report, the police estimated the costs of policing homelessness between July 2015 and December 2015 to be \$47,612. This estimate was based on an informal survey of officers by the Chico Police Department that resulted in an approximation of 25 percent of arrests attributed to individuals experiencing homelessness (Butte County Grand Jury Report, 2016). Our more comprehensive and systematic estimate for the same period, based on the actual arrest record data, is nearly double the police estimate at \$87,541.

What were the implications of the increased cost to law enforcement? While not directly associated with the sit-lie ordinance and increased arrests of homeless individuals, the police department added 16 sworn officers in 2015 (Chico Police Department, 2016). Additionally, and directly connected to enhancement of the sit-lie ordinance and “quality of life concerns,” the TARGET team, a specialized neighborhood police unit, was reformed in September 2015 (Chico Police Department, 2016, p. 6), concurrent with the enhancement of the sit-lie and public property ordinances. The team focused in part on the issue of homelessness in the downtown area, with an emphasis on connecting individuals experiencing homelessness with services (Scharaga, 2015b). There is little evidence to suggest that the increase in police personnel and the reorganization of priorities to focus on quality-of-life ordinances led to a reduction in resources elsewhere in the city budget.

### Conclusion and Discussion

The article began with the observation that locales are increasingly using public safety approaches to address homelessness, and a call for local case studies like this one to better understand the effects of a public safety approach. In this section, we put our study in the context of others examining the effects of quality-of-life ordinances, address implications of our findings, and define areas requiring additional research.

In this study, we explored the law enforcement implications of local ordinances that disproportionately affect those living without shelter, focusing on a sit-lie ordinance. Consistent with our theoretical expectations derived from principal-agent and crime displacement theories, we find that arrests of individuals experiencing homelessness increased after implementation of the ordinance, and that the geography of these arrests has shifted away from the downtown area. Increased arrests of homeless individuals resulted in increased costs of policing this population, confirmed by a cost analysis.

The benefit of the sit-lie ordinance, such as increased profit to downtown business, has not been systematically calculated and is difficult to study, given the influence of other factors on local business. However, while the downtown business owners have not systematically calculated loss in revenue that they attribute directly to the presence of the homeless population, they did willingly assess a tax on themselves in the form of a Downtown Chico Property and Business Improvement District (PBID). The PBID was established in July 2017 with a vote of 82 percent of downtown businesses in favor (City of Chico City Council, 2017). As outlined by the downtown business owners, the top two priorities of the PBID include public safety and maintenance and beautification, with 87 percent of the expected \$458,000 in funds directed toward safety patrols, street cleaning, and stewardship ambassadors (City of Chico City Council, 2017).

While the city of Chico has used ordinances to address the concerns of local businesses, a study of Petaluma, California, suggests homeless shelters can also avoid negative impact on downtown businesses (Records, 2012). Alternatively,

there has been little academic study of homeless campgrounds/tent cities to understand whether there is an economic cost or benefit to businesses and municipalities of this approach (Loftus-Farren, 2011). Rather, drop-in or day centers (such as those used in New York City) and shelters are likely more effective in keeping homeless individuals out of downtown areas and avoiding negative economic impact.

Most broadly, our study suggests a public safety approach has increased policing of the homeless population, with the effects of crime displaced from the downtown area and increased policing costs. Given a law enforcement focus, our study cannot speak to whether this approach has pushed individuals away from services, to services (e.g., Stuart, 2014), or had no effect (e.g., Robinson, 2017). Anecdotally, the shift in arrests northward suggests individuals experiencing homelessness are moving in the opposite direction of the location of homeless services in Chico.

Homelessness continues to be a salient issue in Chico, with many residents concerned about the safety and cleanliness of the community. Given these concerns, the current punitive approach to homelessness appears to be unbalanced at best, given a severe shortage of affordable housing and emergency shelter in the community. While it would be impossible to transfer funds from the police department to fund alternative approaches to homelessness, such as supported housing, a shift in funds within the police department may be more effective in moving individuals out of homelessness, rather than moving individuals from one neighborhood to another. Specifically, an outreach team of an officer and a behavioral health specialist currently work two out of seven days a week. A greater investment in more community-based policing, with an emphasis on moving individuals into services to address the root causes of their homelessness, may be more effective in ultimately reducing homelessness. We end with how we began—for more studies to explore the effects of quality-of-life ordinances on homelessness. With an accumulation of evidence, we will be better able to speak to how ordinances may positively or adversely impact the current national housing crisis, in the hopes of creating public policy to more effectively address this crisis.

### Notes

1. As originally written, one could be ticketed but not arrested for violating the sit-lie ordinance. In 2015, the ordinance was expanded to allow for arrests.
2. Quality-of-life laws and the punitive approach broadly have been sharply critiqued in the scholarly literature, with critics asserting that this is “revanchism” or an attempt to take back territory in cities from groups who fall outside of society’s norms (Amster, 2003; Smith, 1996), or as an attempt to seclude the homeless population outside of public view (e.g., Herring, 2014).
3. The intention of the survey was to gather data about behaviors that concerned the businesses, who conducted these behaviors, and possible solutions to these issues. Businesses were reached both online and through one-on-one interviews and asked a total of 10 questions. The survey was distributed to 350 businesses and yielded a 44 percent response rate (154 businesses).
4. The most troubling behaviors identified by businesses as concerns included people sleeping outside the business, and having to clean up outside of the business front. Respondents indicated

- that “People sleep outside of their business” several times a day ( $n=5$ , 3.5 percent), daily ( $n=26$ , 17.9 percent), and weekly ( $n=28$ , 19.3 percent). “You or employees have to clean the area outside your business front in order to open for the day” happened daily for 32.7 percent ( $n=48$ ) of businesses and weekly for another 19.1 percent ( $n=28$ ) of businesses. The concerns of “dog or human waste outside your business requiring you or an employee to clean it up” was reported several times a day ( $n=5$ , 3.4 percent), daily ( $n=9$ , 6.0 percent), weekly ( $n=33$ , 22.1 percent), and monthly ( $n=39$ , 26.2 percent).
5. The survey also asked, “Who should help to manage the consequences of the behavior to support your business?” The police and the city were identified by 77.5 percent ( $n=107$ ) and 73.9 percent ( $n=102$ ) of the respondents, respectively.
  6. For example, the ordinance on panhandling (9.54.040) was amended to prohibit aggressive panhandling and restrict panhandling locations. Additionally, another ordinance prohibited individuals from being in the downtown plaza between the hours of 2:00 and 5:00 a.m. (CMC 12R.04.370).
  7. The extensive literature on “broken windows” and “zero-tolerance” policing does show that when stops for minor offenses are increased, arrests for larger offenses also increase, as a second offense for a more serious crime is often discovered during the stop for the more minor offense. This could also be a source of increased arrests of homeless individuals after implementation of the sit-lie ordinance.
  8. This information was previously determined by a retired officer and was used for a 15–16 Grand Jury report.
  9. The “pre sit-lie” period in this analysis extends from January 1, 2010, to December 18, 2013, and includes 1,448 days. The “post sit-lie” period extends from December 19, 2013, to June 30, 2016 and includes 925 days. We control for the uneven number of days across the two periods where necessary.
  10. The period of investigation for the storage of property, waterways, and civic center ordinances extends from September 15, 2015, to June 30, 2016, and includes 289 days.
  11. See [http://www.buttehomelesscoc.com/reports/pit/butte\\_coc\\_2015\\_homeless\\_census\\_survey\\_rep](http://www.buttehomelesscoc.com/reports/pit/butte_coc_2015_homeless_census_survey_rep).
  12. The Pearson chi-square statistic is 578.21, and significant at  $p < .001$ , leading to a rejection of the null hypothesis that arrests by housing status are independent across the two periods.
  13. Chico appears to be somewhat unique in the underutilization of citations, whereas police departments in San Francisco and Los Angeles take a multipronged approach, writing both extensive numbers of citations and making large numbers of arrests (e.g., Herring & Yarbrough, 2015; Stuart, 2014). The relatively low number of citations in Chico may be a result of the newness of the approach. Extending the analysis will also allow us to be able to address this difference in police practice across the cases.
  14. Note that the dots identifying mean arrest location for 2012, 2014, 2015, and 2016 are located in the Chico Cemetery. This does not mean that homeless individuals are frequently being arrested in the cemetery, but rather the average latitude and longitude of arrest locations for homeless individuals in those years fall in the cemetery.
  15. Our data suggest the ordinances are not simply moving individuals out of the downtown area, but that police are making arrests even when the location has shifted from the area stipulated in the ordinances. This is consistent with our expectation derived from principal-agent theory, that police received a signal (perhaps a blunt one) with the passage of the sit-lie ordinance that the community desired greater overall policing of homeless individuals.

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