

BANISHED & ABANDONED

Criminalization and Displacement of
Unhoused People in Lancaster



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ACLU SoCal recognizes that the exercise of constitutional liberties and rights is deeply entwined with economic justice. The ACLU SoCal's Dignity for All Project advances social policy changes needed to end homelessness in Southern California and beyond and to advance human dignity for all. These changes include the expansion of access to affordable housing, permanent supportive housing, and medical and mental health care, along with the institutionalization of these critical resources as human rights.

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ACLU SoCal is grateful to Christine and James Keegan for their generous support of this project. We dedicate this report to individuals who have experienced criminalization and banishment in Lancaster, California, because the true nature of these unlawful and dangerous practices cannot be understood without the information they have obtained through their lived experiences. We are particularly grateful to those individuals who took the time to share their experiences with the ACLU SoCal. Their information and insights provide the foundation for recommended reforms that will protect the human and civil rights of all people living in unsheltered places. Special thanks to the members of the ACLU SoCal Antelope Valley Chapter for their contributions to this report and ongoing advocacy on behalf of unhoused people in Lancaster.

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Table of Contents

4	Executive Summary
8	Introduction
10	Background
14	Methodology
16	Homelessness In Lancaster
18	A Hostile Political Climate
19	A Dragnet of Enforcement
28	Banishment
34	Violations Of Civil Rights
39	Recommendations
41	Conclusion
42	Appendices
61	Endnotes

Executive Summary

Unhoused residents in Lancaster, a sprawling community along the northern outskirts of Los Angeles County, must somehow find a way to survive the harsh climate of the Mojave Desert. Instead of ensuring that all residents have access to life-saving housing and services, city officials' primary response has been to organize a dragnet of aggressive enforcement designed to cite and jail community members for being unhoused and banish them to the high desert in unincorporated Los Angeles County.

Los Angeles Sheriff's Department (LASD) officers are contracted to provide police services in Lancaster, and as part of this function, they enforce the ordinances that criminalize homelessness. They also use their authority to harass and banish unhoused community members to the high desert by threat of citation.

An investigation by the ACLU SoCal finds that Lancaster's campaign to criminalize and banish its unhoused community members is not only cruel—it is also potentially deadly. Furthermore, it is unlawful.

Banished and Abandoned: Criminalization and Displacement of Unhoused People in Lancaster is compiled from interviews with 53 unhoused Lancaster residents, engagement with local activists and organizations working on homelessness issues in the region, and a review of thousands of publicly available records. We found that:

- Unhoused people in Lancaster are disproportionately targeted by LASD and criminalized for their status. While they make up 1.3% of the total population, unhoused community members comprise about a quarter of all LASD contacts resulting in citations for infractions, and almost half of all LASD stops to enforce municipal codes. Most of these stops involved enforcement of laws that criminalize the status of being unhoused.
- LASD cited unhoused Lancaster residents for sleeping outdoors—an unavoidable practice for people who lack access to housing and shelter—at three times the rate that all Californians are cited for all types of misdemeanors.
- The dragnet of criminalization within city limits involves a campaign of non-stop harassment. A veteran who uses a wheelchair reported that law enforcement officers harass him at least 14 times a day. He said the cartilage in his shoulders has worn down because he regularly has to wheel himself away from deputies who order him to move.
- The citation records show that enforcement criminalizes life-saving strategies, such as resting or seeking shade on hot summer days. For example, LASD citation records show that officers cite people for resting in the shade or sitting on the ground for as little as three minutes.

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- Enforcement is marked by racial disparities: Black people are disproportionately targeted with enforcement of loitering and camping ordinances.
 - LASD officers and Lancaster code enforcement officials regularly bulldoze encampments of unhoused people and order them to move by threat of citation. One man said that law enforcement officers threw out his tent, along with his California ID, Social Security card, Medi-Cal card, EBT card, and TAP card. Another person reported that he was bulldozed while inside his tent.
 - Law enforcement officers often banish unhoused people to the high desert outside of city limits, where they are marginalized, abandoned, and quite literally left to die.
 - People banished to the high desert face dangers presented by constant exposure to the elements and the lack of access to resources:

One woman, **J.**, came close to perishing in her tent after toting 5-gallon containers of water from the nearest convenience store, which was miles away. Sickened by heat illness, her phone dead, she rationed her water for three days and waited to die. Her daughter, unable to reach J. by phone, became alarmed and set out to search for her. By luck, she found J.'s tent and nursed her back to health.

A. lost his shoes around Thanksgiving and was forced to walk barefoot in the snow. He developed frostbite and ended up in the hospital for a month. It was still cold at night, he said, which exacerbated his condition. **A. pushes his wheelchair miles through the desert** to buy supplies at the nearest store—a round trip that takes hours. He said his physicians warned him that putting off medical treatment could cost him his life. But he was frightened to go back to the hospital because he knew his doctors wanted to amputate his feet.

Law enforcement officers banished D. and his pregnant wife to the high desert outside of city limits. Life is harder for D. in this isolated location, and he worries about meeting the needs of his growing family. “It’s much more difficult to access the basic necessities now than when we were living off of Ave. H,” he said. “At Ave. H we were close to a store. Now we are three miles from town. We don’t have a working car. I ride my bike to get to the store.”

- Banishment denies people the right to vote in city elections, since they are technically no longer city residents. This form of disenfranchisement prevents people from voting for or against the elected officials responsible for the regime of criminalization and banishment that has pushed them deep into the high desert.

The report finds that this dragnet of enforcement violates a number of civil rights, including the rights to due process, freedom of movement, and free speech.

The ACLU SoCal makes eight recommendations for Los Angeles County and Lancaster elected officials geared toward ceasing the criminalization and banishment of unhoused residents in Lancaster and repairing the harm from state-sanctioned violence by investing in permanent supportive housing and treating unhoused persons with dignity and respect:

STOP the displacement, banishment, and abandonment of unhoused residents to the high desert by eliminating municipal and law enforcement policies that harass and remove unhoused persons from public spaces.

ELIMINATE municipal and law enforcement policies that sanction the seizure and destruction of property belonging to unhoused persons.

CEASE citing unhoused persons for “loitering,” or living in public.

CEASE citing unhoused persons for soliciting donations.

DECRIMINALIZE homelessness by acknowledging its unlawful and harmful nature and removing laws from the Los Angeles County Code and Lancaster Municipal Code.

PROVIDE restitution, compensation of losses, and rehabilitation to survivors of criminalization and banishment.

TREAT homelessness as a human rights violation and a humanitarian crisis.

INVEST in affordable and permanent supportive housing, not criminalization and banishment. Reimagine public safety as a world in which all people are afforded the opportunity to live in their own affordable, permanent, and safe homes with access to needed services.

The recommendations will not only save lives, they can also protect Lancaster from liability for the violations documented in the report. Most importantly, they can help chart a path for a humane, just future in which all community members are treated with the dignity and respect to which they are entitled.



“Ha, banishment? Be merciful and say
‘death.’ **Exile is much worse than death.**”

WILLIAM SHAKESPEARE, ROMEO AND JULIET¹

Introduction

“Last summer, the city kept red-tagging us and telling us to go further out into the desert. I ended up living out in the desert at F and 20th Street West. The nearest store, at a Shell station, is at H and 10th Street West. I had to walk, and there are no lights out there. It’s very dark. **I had to haul water in a stroller in 5-gallon jugs.** I got heat stroke because I was trying to walk to the store in the heat. Walking back and forth was making me sick. I laid in my tent for three days. My phone died, and I couldn’t get help. Nobody else was around. I was rationing my water, and it was over 100 degrees. **I was waiting to die.**”

J., A WOMAN BANISHED TO THE MOJAVE DESERT BY LAW ENFORCEMENT OFFICERS IN LANCASTER, CALIFORNIA.

One could be forgiven for assuming that banishment²—the casting of unwanted people into geographically remote areas — is an archaic form of punishment relegated to the history books. Yet, banishment flourishes in California. Though widely overlooked, it is a key component of a government strategy that addresses homelessness by criminalizing the status of being unhoused. And as J.’s experience demonstrates, it is potentially deadly.

Municipalities deploy banishment as a punishment for the “crime” of being visibly homeless. Like the iconic sheriffs of the Wild West, law enforcement officers may combine the threat of criminal and civil sanctions for being unhoused with an order or “suggestion” to leave town, often directing people to geographically remote areas.

They may give people deadlines for leaving and tell them that the

harassment will get much worse if they fail to comply. Or they may create a dragnet of criminalization and harassment so frighteningly pervasive that unhoused people feel forced to leave on their own.

The cumulative effect of these tactics is to push people who are already economically distressed into geographically remote areas, where they are marginalized, abandoned, and very often, quite literally left to die. As a woman who was ordered into the wilderness by police officers told us, “It feels like they’re saying, ‘Yeah, go out there and hopefully you will get attacked and die. It will be one less person for us to worry about.’”

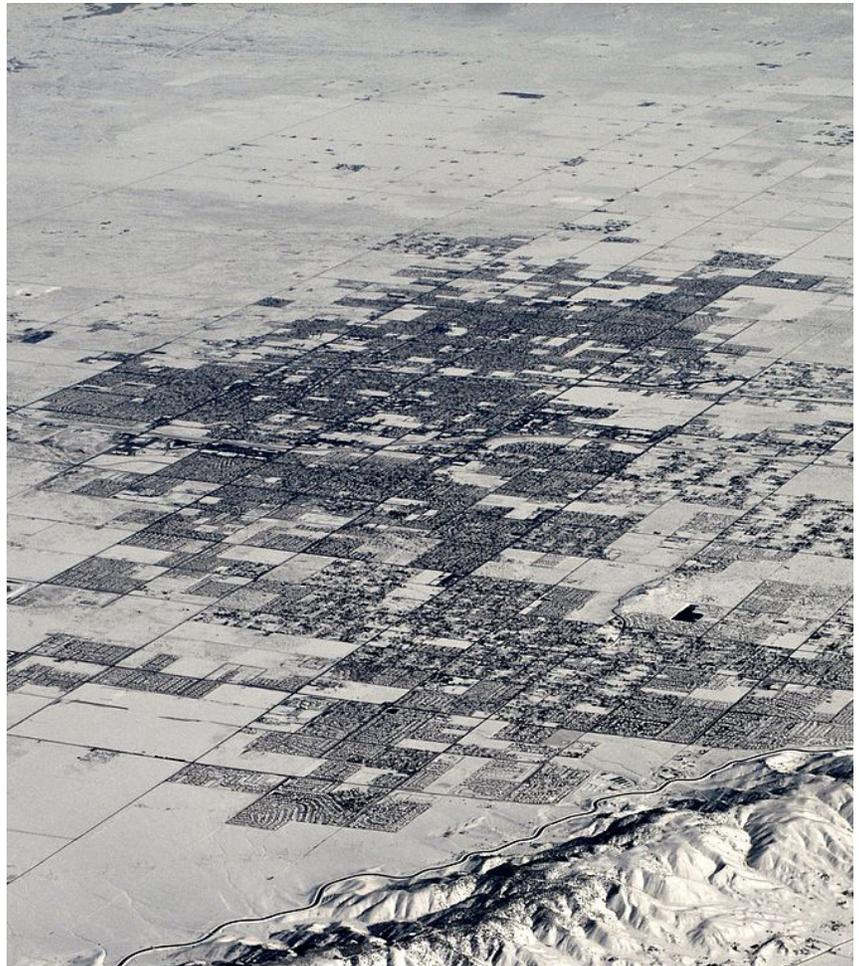
We focus this report on our investigation of criminalization and banishment in Lancaster, California, a sprawling community in the Mojave Desert along the northern outskirts of Los Angeles

County. Lancaster’s law enforcement practices are emblematic of a broader pattern and practice we have observed across Southern California. At the same time, our case study of Lancaster provides a worst-case scenario because the places officials banish unhoused residents are so perilous.

The high desert into which unhoused Lancaster residents are cast is vast, largely undeveloped, and bereft of water sources. Shade is scarce and temperatures are extreme. During the summer months, when triple digit heat is the norm, bicycle tires can explode if parked for too long on broiling asphalt streets. Snow sometimes blankets the desert landscape during the winter months. And an ever-present wind covers everything with a pale, chalky silt. As we show in this report, people banished to this inhospitable environment struggle to stay alive.

This report aims to make concrete the experiences of unhoused people who are criminalized and banished and to advance policy recommendations that abolish these violent and unlawful practices. In the report, we center the perspectives of directly impacted community members because, although their lived experiences provide a crucial form of knowledge about the specific harms of these policies, their voices are rarely part of the policy debate. We hope the report will contribute to a better understanding of the on-the-ground workings of criminalization and banishment and the consequences for unhoused people.

Our ultimate goal is to support a broader movement to end and prevent homelessness, not by criminalizing people and banishing them from our communities, but by expanding access to human necessities such as affordable housing, permanent supportive housing, medical and mental health care, and benefits.



Ariel photograph of Lancaster, CA. Source: Basil D Soufi, CC BY-SA 3.0 <<https://creativecommons.org/licenses/by-sa/3.0>>, via Wikimedia Commons

Background

A DEEPENING CRISIS: Homelessness, inequality, and housing unaffordability

Over the last several decades, homelessness in the U.S. has exploded in tandem with a steep rise in income and wealth inequality, the gutting of the nation's affordable housing programs, and deepening economic hardship for working class households.

California, with its high cost of living and dire shortage of subsidized affordable housing, has become the epicenter of street homelessness. Over half of all unsheltered people in the nation live in California (54%), and almost three-quarters of all unhoused Californians are living in unsheltered places (72%). Los Angeles County is no exception. According to the Los Angeles Homeless Services Authority (LAHSA) homeless count report, there were 66,436 people experiencing homelessness in Los Angeles County on any given day in 2020, of which 72% were unsheltered.³ That report represents a snapshot of homelessness in January 2020, before COVID-19 exploded across the globe. The economic impacts of COVID-19 have surely exacerbated the homelessness crisis in Los Angeles County.⁴

The County of Los Angeles's response to this broader affordable housing crisis has been strikingly inadequate. Despite a 12.7% rise in homelessness in the county in 2020, LAHSA notes that only "732 new permanent supportive

housing units opened in 2019, and... 2,360 [are] scheduled to open in the next 12 months...."⁵ **That is not enough permanent supportive housing to stymie the burgeoning crisis.**

Federally subsidized affordable housing provided by the Section 8 Housing Choice Voucher Program is so scarce in Los Angeles that the city waiting list has stayed closed for 13 years before opening for two weeks in October 2017.

People who applied were put into a lottery for the 20,000 waiting spots.⁶

Even before the new applicants were added, the wait list in Los Angeles was 11 years long.⁷ The Los Angeles County Development Authority (LACDA), which manages the Section 8 Housing Choice Voucher program for the county, is also closed indefinitely. On its website, the LACDA informs applicants that "Due to the length of the waiting list, funding and voucher availability, the LACDA is unable to provide a specific date when applicants on the waiting list will be served."⁸

Homelessness as Structural Violence

The failure of the government to meet the basic housing needs of so many community members, even as grand high-rises and sprawling mansions proliferate throughout the county, is a form of structural violence.⁹ By “structural violence,” we mean the systematic ways in which social structures harm and kill people by depriving them of the resources they need to stay alive.

Since it flows from social, political, and economic arrangements that can be reorganized to meet the basic human needs of all, structural violence is avoidable. Policies that have hollowed out our affordable housing programs, concentrated wealth and income among the few, and allowed the cost of market rate rent to skyrocket are all forms of structural violence.

Structural violence disproportionately harms people experiencing multiple forms of oppression and violence. Black people, for example, are unhoused at four times the rate of their overall representation in the county population. As a recently released report by LAHSA notes, “the circumstances that lead Black people to disproportionately experience homelessness cannot be untangled from the impact of institutional and structural racism in education, criminal justice, housing, employment, health care, and

access to opportunities. Institutional and structural racism impact Black people experiencing homelessness on a daily, life-long basis, from renting an apartment, to seeking employment, to the trauma of living in an anti-Black society.”¹⁰

As a recent analysis¹¹ of Los Angeles County Medical Examiner-Coroner records shows, structural violence is deadly. The analysis found that 28 unhoused Los Angeles County residents died of hypothermia and other underlying conditions between 2016 and 2020, and that “almost all deaths involving hypothermia occurred in December, January, or February—typically the county’s coldest and wettest months of the year.” These results are consistent with findings provided the Centers for Disease Control, which show that exposure to cold is a leading cause of death by hypothermia.¹² As noted in the report, the extreme climate in Lancaster, where winter temperatures sometimes plunge below freezing, heighten the risk of death by hypothermia for people who are living in unsheltered places. In recent years, more unhoused people have died from hypothermia and other underlying conditions in Los Angeles County than in New York City and San Francisco combined.¹³

Making it a Crime to be Unhoused

Instead of abolishing the structural violence that is at the root of homelessness, city and county governments in California have piled on more harms by targeting unhoused people with direct state violence. They have passed a slew of laws that criminalize activities people without homes have no choice but to conduct in public, including standing, resting, sleeping, and camping. Some laws criminalize survival strategies, such as panhandling and using shopping carts to store and transport belongings people need to stay alive. Laws that criminalize homelessness have proliferated rapidly in recent decades, as have arrests of people who are unhoused.¹⁴

Enforcement of these laws is not a deterrent and serves no public safety function. It does nothing to address the government's failure to meet the basic survival needs of its most economically vulnerable community members. Rather, the purpose of this enforcement regime is undoubtedly to make life so difficult for people who are unhoused that it pushes them out of public spaces.

The criminalization of homelessness has significant legal ramifications for people who are already struggling to survive. Many citations are misdemeanors that are punishable by jail time and fines that can reach into the hundreds of dollars. Because they are criminal offenses, a conviction burdens the recipient with a criminal record.

Banishment

Often, law enforcement officers combine the enforcement of these ordinances with banishment, defined by common law as “a punishment inflicted upon criminals, by compelling them to quit a city, place or country...”¹⁵ As we show, banishment socially and geographically marginalizes people, cutting them off from resources and threatening their lives. It is situated within an ignominious set of violent state practices that have been used throughout history to spatially exclude or remove stigmatized categories of people from particular areas. Such practices include exclusion of people from parks, sidewalks, and other municipal areas;¹⁶ forms of segregation such as apartheid, internment, and incarceration; deportation, exile, and other forms of forced transfer; and at the most extreme level, ethnic cleansing, massacres, and genocide.

The common thread of these practices is the judgment and classification of the targeted group as a problem—as subhuman, dangerous, or otherwise undeserving of acceptance in the dominant society. Because they depict the victims of structural violence as perpetrators, the practices absolve the state of responsibility while punishing people for the conditions of their oppression. History shows us that widespread support for such a denigrating ideology can lead to escalating forms of state violence.

Perpetrators in the High Desert

Many parties are to blame for the human and civil rights violations documented in this report. As we show, Lancaster City leaders are responsible for creating a toxic political climate that justifies state violence against unhoused community members. Lancaster City leaders are also responsible for passing and enforcing ordinances that criminalize unhoused people and violate their civil and human rights.

Fifth District Los Angeles County Board of Supervisor Kathryn Barger is also responsible. Local advocates have informed her of the campaign against her vulnerable constituents, but she permits violence to continue under her watch.



Encampment north of Lancaster in unincorporated Los Angeles County.

Furthermore, LASD deputies play a central role: they are contracted to provide police services in Lancaster, and as part of this function, they enforce the ordinances that criminalize homelessness. They also use their authority to harass and banish unhoused community members to the high desert by threat of citation.

We have found that the campaign to criminalize and remove unhoused people from Lancaster has involved peculiar alliances among additional entities that hold different views and perform different functions. LAHSA outreach workers, for example, appear before, during, or after sweeps to offer services to people targeted with enforcement. While some of the services they provide may be helpful (despite the county's sheer scarcity of meaningful resources for unhoused people), LAHSA's collusion with sweeps also provides beneficent window dressing behind which violent state actions persist unabated. Big box stores and other local businesses hire private security firms to run off unhoused people, ensuring that they are unwelcome in both public and private spaces and further pushing them into the high desert. During our investigation, the Los Angeles County Department of Regional Planning also emerged as a complicit agency. During a global pandemic and heat wave, it threatened criminal sanctions against unhoused people who LASD deputies had directed to camp on unincorporated county land if they did not disperse from the area to which they were banished.

Methodology

Much of the existing research on the criminalization of homelessness relies on analyses of public records. But because banishment is sometimes an extrajudicial practice—for example, an order to leave town or move to a particular remote place—it generally cannot be detected through examination of official records, such as policies or citations. Our analysis, which brings together survey data, in-depth interviews, on-the-ground observation, and a review of publicly available records, reveals a disturbing portrait of banishment as a practice that is both pervasive and dangerous.

We conducted 53 semi-structured interviews with unhoused Lancaster residents between February 2019 and October 2020. We interviewed unhoused people in and around Lancaster who were living in tents, cars, RVs, handmade shacks and lean-tos. Some people were sleeping on the ground with nothing more than a blanket or sleeping bag. The interviews focused on respondents' encounters with law enforcement officers, including incidents when officials issued or threatened to issue citations to them for living or resting in public, the type of officials (e.g., city code enforcement, LASD), orders to leave the area, and directions on where to go. We asked respondents about the consequences of criminalization and banishment, including lack of access to water, food, medical care, and other resources necessary for survival. We asked them to tell us about the impact on their health, mental health, and overall wellbeing, and any concerns they have about others who were criminalized or banished into

the desert. We informed interviewees of the purpose of our investigation and told them that they were under no obligation to speak with us and that they could decline to answer questions at any point or terminate the interview at any time. We did not offer incentives or remuneration for interviews.

We spent time with unhoused people who live in and around the city center and those who have been banished to the high desert outside of city limits. We engaged in unstructured conversations with people experiencing homelessness wherever we found them and observed their living arrangements and the surrounding terrain. We also stayed in contact with on-the-ground activists, who kept us informed about emerging developments and provided insights into the implementation and consequences of criminalization and banishment.

We gathered and analyzed public records, including notices ordering people in encampments to leave the area, coroner's reports of individuals who died in Lancaster while unhoused from November 2016 to September 2019 and misdemeanor citations issued in Lancaster between 6/17/2018-7/26/2019 for violations of laws prohibiting camping in public places, loitering, having a shopping cart, and aggressive solicitation (panhandling). We analyzed administrative citations issued by the city between 2/28/2018- 9/25/2020 and LASD records dating back to 2018 on stops and infraction citations targeting unhoused people. We also analyzed records of policies and procedures

related to enforcement of ordinances that criminalize homelessness and orders to move.

We confirmed the credibility and validity of the data through cross verification from multiple sources, including interviews with impacted people, direct observation, records, documents, and information provided

by on-the-ground activists. We collected data until the findings reached the point of “saturation,” defined as the point at which “new data tend to be redundant of data already collected,” indicating that further data collection and analysis are unnecessary. Our analysis led to the emergence of several themes, which form the basis of our findings.



Structure built by residents of an encampment outside of Lancaster city limits.

Homelessness in Lancaster



Facing west.
The Mojave Desert
right outside of Lan-
caster city limits.

Homelessness is an urgent and growing problem in the City of Lancaster. According to LAHSA, over 2000 Lancaster community members were unhoused in 2020. Thirty-one people (1.5%) were living in emergency or transitional shelter and the rest (98.5%) were living in unsheltered locations.¹⁷ Almost two-thirds of unsheltered people were living on the streets, in tents, or in makeshift structures (64%), and a little more than one-third were living in cars, vans, or RVs (36%).

When people think of homelessness in Los Angeles County, visions of densely populated urban centers may come to mind. But, as shown in Figure 1, the problem is more severe in Lancaster than in Los Angeles City or the county as a whole.

As shown in Figure 1, Lancaster has about 13 people experiencing homelessness per 1000 population, compared to 10.38 people per 1000 population in the City of Los Angeles and 6.62 people per 1000 population countywide. Put another way, on a per capita basis, Lancaster has about a quarter more unhoused community members than the City of Los Angeles and twice as many unhoused community members as Los Angeles County. And these numbers do not include people that law enforcement officials have banished to the high desert, outside of Lancaster city limits.

Moreover, the problem is getting worse. As shown in Figure 2, Lancaster experienced a prominent spike in homelessness from 2019 to 2020, when the number of people who are unhoused increased by 126%.¹⁸

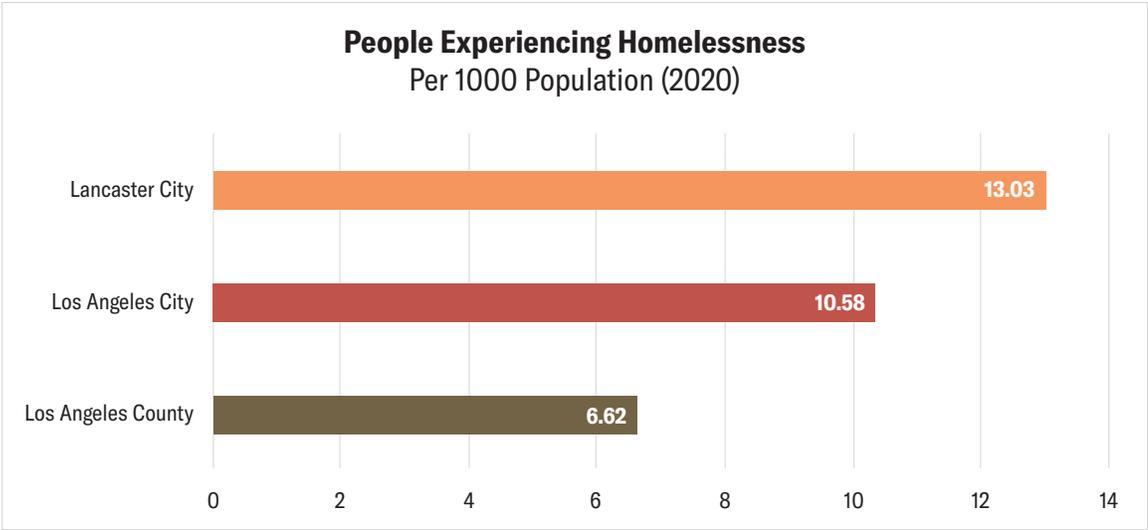


FIGURE 1 Sources: Los Angeles Homeless Services Authority (2020). 2020 Homeless count by community/city. <https://www.lahsa.org/data?id=45-2020-homeless-count-by-community-city>; U.S. Census Bureau QuickFacts: Lancaster city, California. <https://www.census.gov/quickfacts/lancastercity-california>

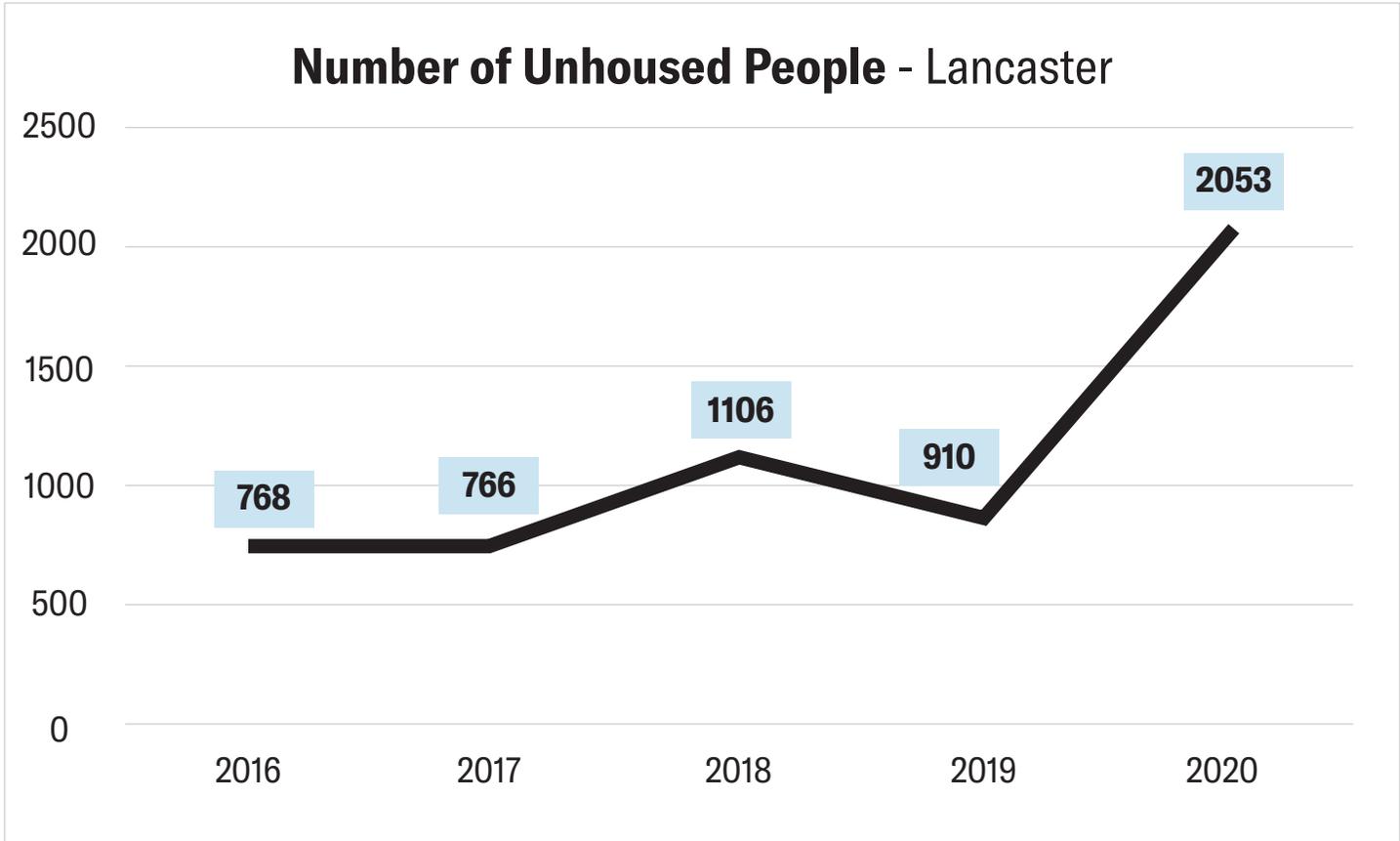


FIGURE 2 Source: Los Angeles Homeless Services Authority. Homeless count by community/city. <https://www.lahsa.org/dta?id=45-2020-homeless-count-by-community-city>

A Hostile Political Climate And a Dragnet of Enforcement

What have public officials done to address the growing homelessness crisis? According to LAHSA, Lancaster offers one winter shelter with 68 spots.¹⁹ During the fall of 2020, the city also opened a campus that will include 156 spots for emergency shelter.²⁰ The campus includes 150 one-bedroom units of supportive housing for people who are previously unhoused, leaving almost 2000 unhoused people with no access to subsidized affordable housing.²¹

When asked what Lancaster could do to better help people experiencing homelessness, most of the unhoused residents we interviewed pointed to housing. As one unhoused person put it, “Get us off the streets. Pay for something...but they’re not going to do it.”

Our findings show that city officials’ primary response has been to organize a dragnet of aggressive enforcement designed to cite and jail community members for being unhoused [See Appendix I for anti-homeless ordinances in Los Angeles County and the City of Lancaster].

Lancaster’s top elected officials have justified this dragnet of enforcement by drawing on baseless stereotypes of unhoused community members as dangerous outsiders who do not belong in the city. In a recent media interview about the growing homelessness crisis in the Antelope Valley, R. Rex Parris, who is serving his fifth term as mayor, said he would do “whatever is necessary to protect the hard-working families of Lancaster” and was prepared to explore the possibility of calling for residents to arm themselves. He called unhoused people “drug addicts and thugs” who are dangerous “robbers” and “when they rob somebody, somebody ought to shoot them.”²² Councilmember Raj Malhi concurred. “I own a small business and the other day, I asked someone to move, and next morning I come in and my window is broken,” Malhi said, and added, “I do agree with Mayor Parris. He said it hypothetically. Hopefully it won’t come to that.”²³

Stops & Infractions

LASD is the policing agency for the City of Lancaster. As shown in Figure 3, LASD records make it clear that unhoused people are disproportionately targeted by Lancaster law enforcement and criminalized for their status. Lancaster residents who are unhoused represent about 1.3% of the total

population, yet since 2018, roughly half of the people that LASD reportedly stopped to enforce Lancaster’s municipal code were reported by the officers to be unhoused. More than 25% of all infraction citations LASD reportedly issued in Lancaster were to people reported to be unhoused.²⁴

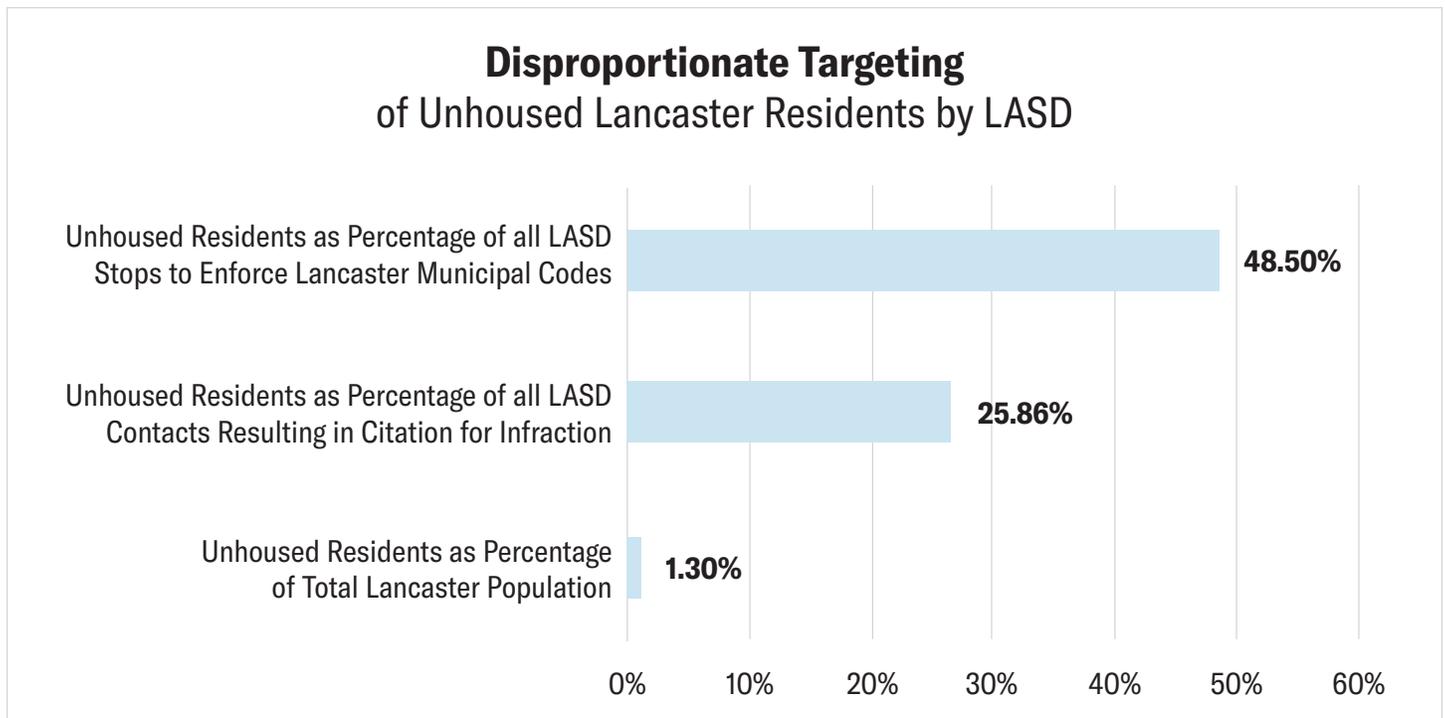


FIGURE 3 Sources: <https://data.lacounty.gov/d/wraf-ix3i/visualization>; Los Angeles Homeless Services Authority (2020). 2020 Homeless count by community/city. <https://www.lahsa.org/data?id=45-2020-homeless-count-by-community-city>; U.S. Census Bureau QuickFacts: Lancaster city, California. <https://www.census.gov/quickfacts/lancastercitycalifornia>

Criminal (Misdemeanor) Citations

We analyzed criminal citations issued by the Sheriff’s Department in Lancaster between 6/17/2018-7/26/2019 for four ordinances that criminalize the status of being poor and unhoused: loitering in public, camping or sleeping in public, possession of a shopping cart, and aggressive solicitation, or panhandling. [See Appendix II for catalogue of citations]

As shown in Figure 4, enforcement of ordinances prohibiting camping and loitering accounts for most of the citations (96 citations, or 81% of all citations). Aggressive solicitation accounts for 20, or about 17%, of all citations. There were three citations for possession of a shopping cart.

Of the 119 misdemeanor citations issued by LASD deputies during the time period we examined, 54 were for literally being unhoused (camping outdoors). To put this number in perspective, the arrest rate of unhoused people for camping in Lancaster was roughly 59.34 per 1000 population, while the arrest rate of all Californians for all misdemeanors in 2019 was 18.97 per 1000 population.²⁵ Put another way, unhoused people in Lancaster are cited for sleeping outdoors at three times the rate that all Californians are cited for all types of misdemeanors.

Criminal (Misdemeanor) Citation Type by Race of Recipient

Citation Type	Black	White	Latine	Other	Total
Camping	19	27	7	1	54
Loitering	22	13	7	0	42
Aggressive Solicitation	4	15	1	0	20
Shopping Cart	1	1	1	0	3
Total	46	56	16	1	22

FIGURE 4: Enforcement of ordinance prohibiting camping, loitering, solicitation, and possession of a shopping cart

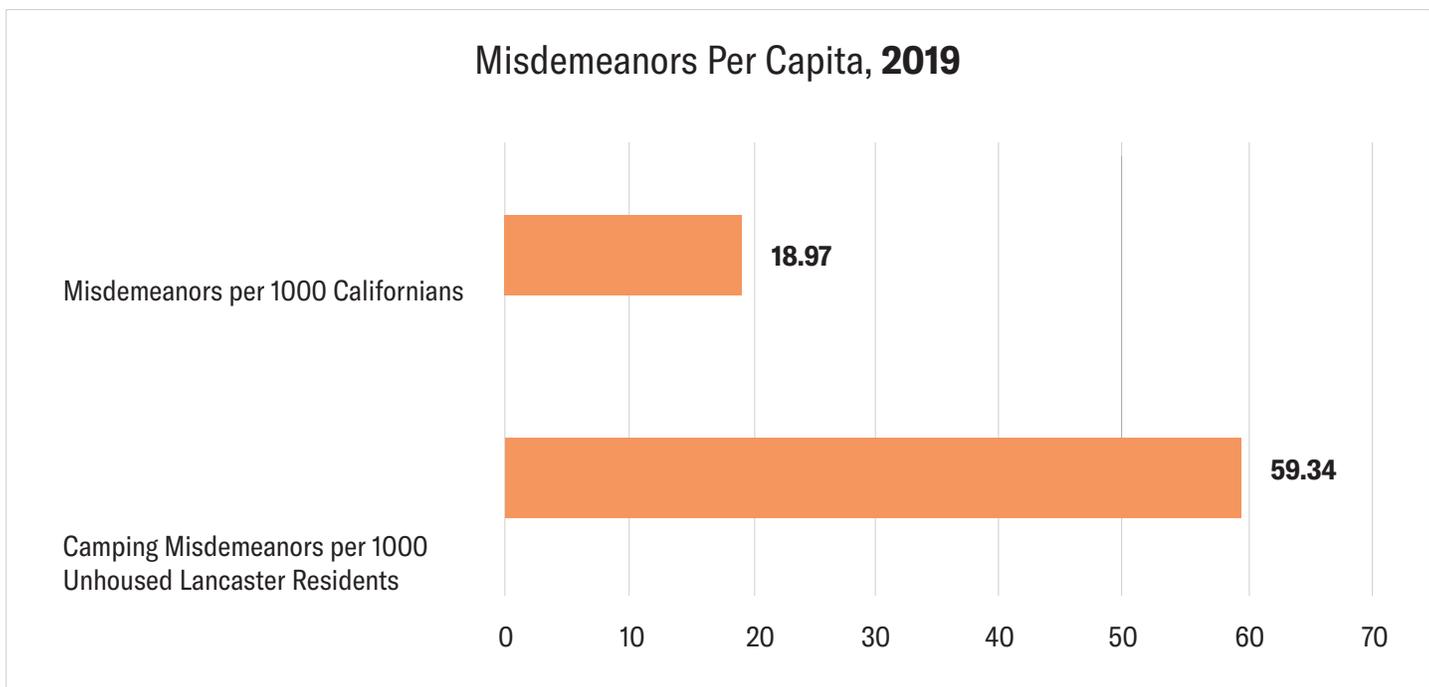


FIGURE 5: Sources: Becerra, X. (2019). Crime in California. California Department of Justice, p. 22. <https://data-openjustice.doj.ca.gov/sites/default/files/2020-06/Crime%20In%20CA%202019.pdf>; Los Angeles Homeless Services Authority (2020). 2020 Homeless count by community/city. <https://www.lahsa.org/data?id=45-2020-homeless-count-by-community-city>

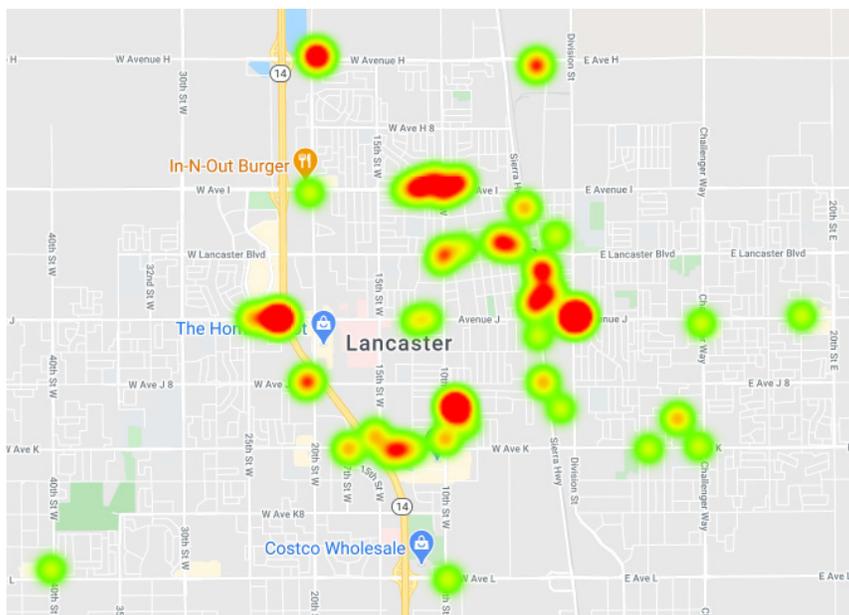


FIGURE 6 shows the spatial distribution of the misdemeanor citations we analyzed. Larger red areas are places with a higher concentration of citations. As shown, enforcement is widespread.

Enforcement is Marked by Racial Disparities

As shown in Figures 7 and 8, Black people are disproportionately targeted for enforcement of loitering and camping ordinances. They represent about 52.4%

of all citations for loitering (Figure 7) and 35.2% of all citations for camping (Figure 8), but only 22% of Lancaster’s total adult population.

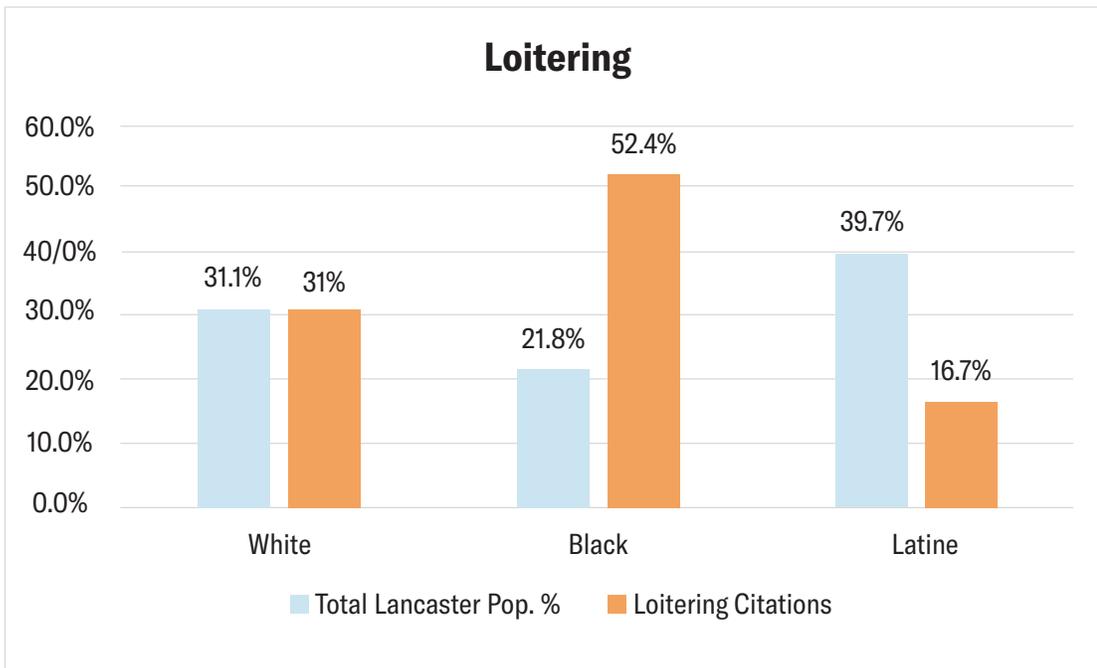


FIGURE 7
U.S. Census Bureau QuickFacts: Lancaster city, California. <https://www.census.gov/quickfacts/lancastercitycalifornia>

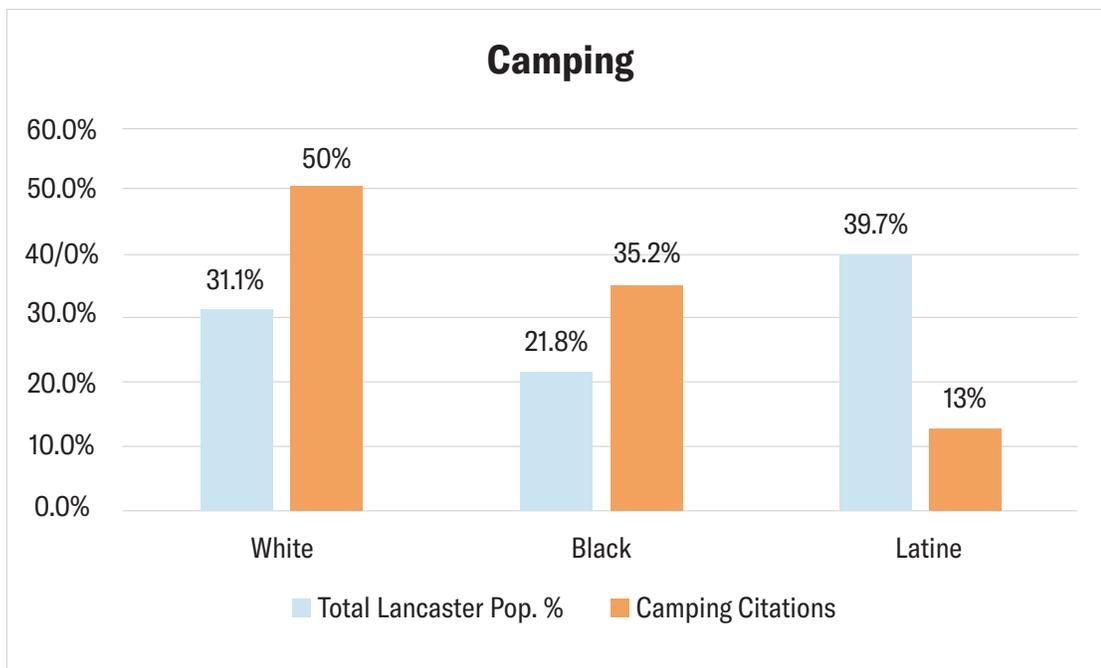


FIGURE 8
U.S. Census Bureau QuickFacts: Lancaster city, California. <https://www.census.gov/quickfacts/lancastercitycalifornia>



American Heroes Park, where an unhoused resident was issued an administrative citation.

Administrative Citations

In addition to the criminal citations analyzed here, our analysis of public records and interviews with unhoused people indicate that Lancaster and LASD are engaged in a pattern and practice of issuing administrative citations to the unhoused community for petty code violations and for asserting their rights when harassed by law enforcement. LASD issues administrative citations²⁶ to unhoused people for loitering, camping, and panhandling. Further, LASD cites people for being unhoused by issuing administrative citations for “disorderly conduct” to people who are not alleged to be fighting or otherwise disturbing anyone else, but are simply alleged to be present at “clean-up” sites, sleeping outside, or engaged in “vagrant activity.”²⁷

The City maintains a “pay to appeal” scheme for all administrative citations. Although individuals may appeal their citation, they must do so “within ten (10) calendar days from the date the citation is served [and] ... [i]t must be accompanied by the penalty amount.”²⁸

The City does not provide a waiver or ability to pay assessment for a person who would like to appeal but cannot afford to pay the citation penalty up front. And Lancaster’s administrative citation scheme affords neither a process nor legal representation to unhoused people who wish to challenge unjust citations. As such, the scheme infringes upon the constitutional rights of unhoused people by conditioning the right to appeal on payment of a penalty and treating indigent persons differently than their wealthier counterparts.

With exorbitant penalties of \$500 or \$1000, Lancaster’s administrative citation scheme saddles unhoused people with unpayable debt and exacerbates barriers to securing housing and employment. If the citation is not paid within the specified time, the City authorizes a late fee in the full amount of the citation penalty and engages in debt collection activities including filing a civil action or imposing a special assessment.²⁹



I don't stay in one place for too long, because I'll get in trouble.

DON RITTER, 60, had a stroke in April 2020 that has left him struggling for words. In a gentle, halting voice, he complained about a painful hernia operation that won't heal. Harassment by law enforcement has kept him on the move, he explained, straining his body and impeding his recovery. "I don't stay in one place for too long, because I'll get in trouble," he said. "The police will bother me."

Enforcement is Nonstop

Enforcement is aggressive. Our analysis shows that LASD engages in aggressive overreach when enforcing ordinances that criminalize homelessness. About four-fifths of the unhoused people we interviewed (43/53) said law enforcement officers had repeatedly displaced, harassed, threatened to cite and/or cited them. One man told us he has received over 20 citations for camping. A veteran who uses a wheelchair said the cartilage in his shoulders has worn down because he regularly has to wheel himself away from deputies who order him to move. "They harass me at least 14 times a day," he said. "They come to where I am, at any time of day or night. They tell me

they'll give me a ticket if I don't move or throw me in jail." Another man similarly described the sheer pervasiveness of the dragnet of the enforcement regime when he said, "Yes, there are certainly places we know not to be, but there is really no place [to be]. They look, and stop you, and ask questions. Most of the time you try to run before they see you."

Yet even when people try to stay out of sight, LASD deputies find unhoused people and displace them. One person we interviewed recalled a citation he received from two LASD deputies for being in a wash under a bridge. "They told me to leave," he said, "but they didn't tell me where to go."

Many people told us that harassment by private security guards, city workers, and sheriff’s deputies conspire to create an environment in which they are unwelcome everywhere. “We can’t hang out at the public library for more than an hour, because private security will move us,” one man noted, adding, “There is nowhere we can go without being moved by security.”

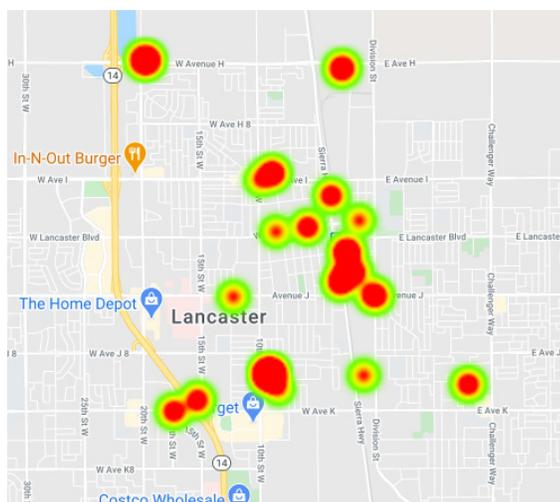


FIGURE 9 shows the spatial distribution of the anti-camping citations we analyzed. As shown, enforcement is widespread. Notably, two areas of concentrated enforcement are located on Avenue H, along the northern perimeter of the city. Our survey interviews indicate that law enforcement officers often tell people they cite for camping along Avenue H to move north, outside of city limits and into the high desert.

Aggressive interpretation of the law

Loitering, defined by the city as delaying, lingering or standing idly in one location, is prohibited in shopping centers, as well as any “public street, sidewalk, curb, crosswalk, or any other right-of-way so as to obstruct the free passage of pedestrian or vehicular traffic thereon.”³⁰

It is clear from the citation records that unhoused people are not tolerated in these public spaces for even a few minutes or in places, such as abandoned parking lots, where pedestrians are unlikely to be present. And the records show that enforcement criminalizes life-saving strategies, such as resting or seeking shade on hot summer days.



FIGURE 10: Excerpt from loitering citation, County of Los Angeles — Sheriff’s Department

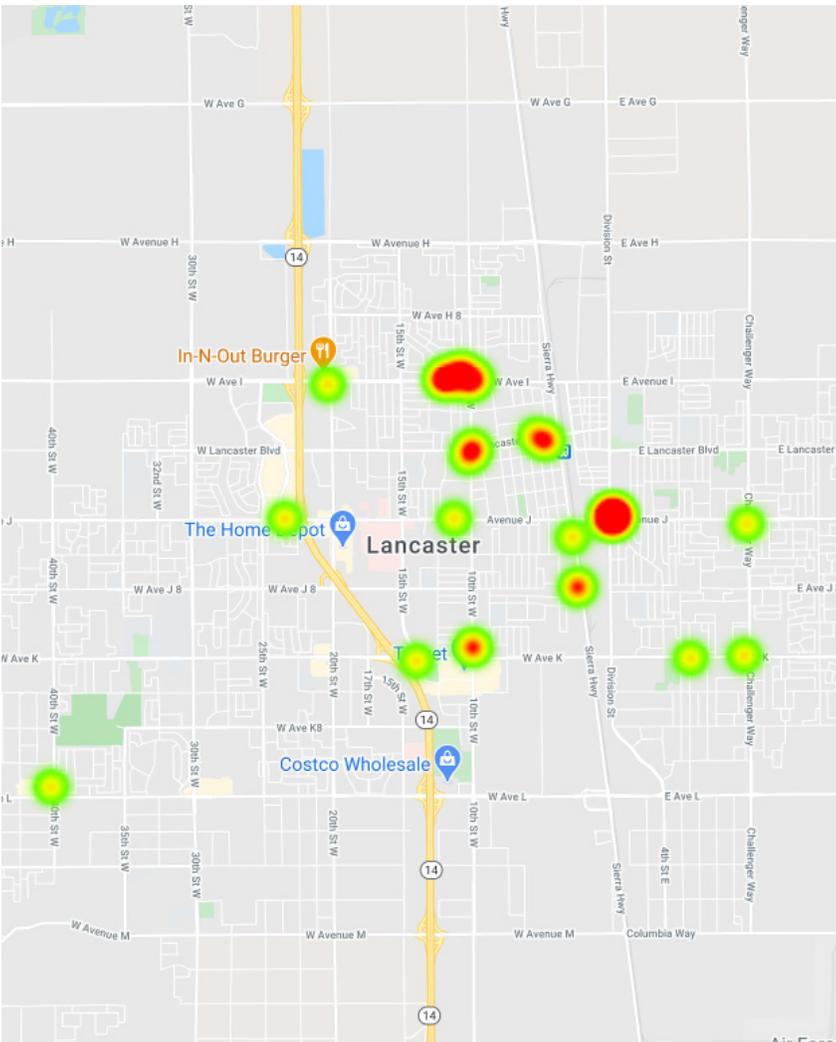


FIGURE 11: Enforcement of anti-loitering ordinance

On the same day, deputies cited a Latine woman who was seeking shade for “sitting on the ground for approximately 3-4 minutes.”

On a blazing August day in 2018, for example, deputies issued a misdemeanor citation to a 52-year-old Latine man who was leaning against a wall in a shopping center. According to the deputy’s notes, the man said he was trying to stay cool in the shade. A Black woman was cited on a hot July day for “sitting on the ground for approximately 3-4 minutes.” Deputies also cited people for sitting outside of convenience stores and gas stations, and for being in an abandoned parking lot “because [they were] homeless.”

Figure 11 shows the spatial distribution of the anti-loitering citations we analyzed. Areas of concentrated enforcement are generally around shopping centers. Remarkably, one of the densest hot spots is at the intersection of West Avenue I and 10th Street West, where a Dollar Tree store, a laundromat, a McDonalds, and several other fast-food restaurants are located. This is the shopping center closest to the encampments in the high desert north of Avenue G and is a critical resource for people banished to these areas. Yet as the map makes clear, it is also where unhoused people experience one of the greatest risks of being cited for loitering if they rest for even a few minutes in the shade.

**“They cut
down my hut.”**

Sweeps and “red-tagging”

Sheriff’s deputies and city code enforcement often target encampments for removal. The unhoused people we talked to call these practices “sweeps” because law enforcement officials displace them and sweep up their personal property. They call the orders to leave “red-tagging” because officials post red notices at encampments that give the residents a deadline for moving. Those who fail to comply risk expensive misdemeanor citations for camping.

Multiple people we interviewed described the sweeps as harrowing and violent experiences whereby city and law enforcement personnel cite people who do not clear out soon enough and bulldoze their belongings. One man we interviewed in August of 2019 told us he was currently sleeping outside with no tent or blankets. He explained that city vehicles had recently red-tagged his community and workers had torn down the tents. They threw out his tent, he said, along with his California ID, Social Security card, Medi-Cal card, EBT card, and TAP card. Another survey respondent said two sheriff’s deputies and city workers red-tagged her encampment on 30th Street with 10-day notices, and then used bulldozers to destroy her belongings. She lost baby pictures, paperwork, and medication. A woman who was couch-surfing when we interviewed her recalled a plane circling overhead while her red-tagged encampment was bulldozed and workers “cut down” her hut. A man said he was bulldozed while inside his tent after workers with a city truck red-tagged his camp.

Banishment

Almost all of the unhoused people we talked to who live outside Lancaster city limits said law enforcement officers had given them a direct order or firm “suggestion” to relocate outside of the city. The few people we interviewed who were not explicitly banished said they relocated outside of city limits in an attempt to escape police harassment. They assumed that the desert hinterlands, while fraught with natural hazards, would at least be free of the dragnet of enforcement they faced within the city. However, in practice, the harassment and criminalization never

ceases and being outside of the city limits does not spare unhoused persons—they are still targeted for red-tagging and criminalization, but now they are even further removed from valuable resources like grocery stores, hospitals, and service providers. Moreover, banishment denies people the right to vote in city elections, since they are technically no longer city residents. This form of disenfranchisement prevents people from voting for or against the elected officials responsible for the regime of criminalization and banishment that has pushed them deep into the high desert.



We are like a piece of wind that carries a voice, but it’s not heard at all.

When LASD officers and city workers banished **MELISSA IVORY** to the high desert outside of Lancaster city limits, she was no longer able to vote in city elections. Although she still volunteers at a Lancaster hospital and a food distribution program, she said, the city “left us with no vote and no voice. We are like a piece of wind that carries a voice, but it is not heard at all.”

The Toll of Displacement

We found that an order to move, in addition to pushing people farther away from life-saving resources, is, in itself, a source of harm. Economically distressed people with non-working vehicles, many of whom are older adults or have mobility impairments, cannot easily comply with the orders. At any rate, they often have nowhere to go. People told us that the moves create stress and chaos and are physically demanding. Sometimes they are forced to abandon precious belongings because they do not have the means to move them.

During the summer of 2020, we talked with B., who was living in a broken-down RV in the Mojave Desert right outside of Lancaster city limits. B. was not living in this harsh, remote location by choice. In 2019 his RV was parked in an empty field within city limits, about 1.5 miles closer to the center of town. Then law enforcement officers red-tagged his encampment and told him to move out of the city to his current location, in unincorporated Los Angeles County.

When his community was red-tagged again in July of 2020, this time by Los Angeles County Department of Regional Planning, B.'s problems were compounded. The notices said that the undeveloped land on which he was living—the land that officers had told him to relocate to in 2019—was privately owned, and that he would have to move again. The notice also threatened

criminal sanctions and fines. He could not afford a citation, but because he also could not afford to repair his RV, he was unable to comply with the order. He assumed he would have to abandon his RV—his only home—along with most of his possessions and had no idea where he would go next.

Despite his pressing troubles, B. worried about others in his community. Many had the same story: they had been living closer to town and had moved to the remote desert field after law enforcement officers red-tagged their encampment and told them to move outside of city limits. Like B., most had limited options and were scrambling to figure out how to avoid an expensive citation or arrest.

Although the workers who red-tagged B.'s encampment did not tell the residents where to go, many figured they needed to move even farther into the Mojave Desert to escape the constant drumbeat of harassment and displacement. R., who has a bad knee, moved his camper about a mile deeper into the desert, near Sierra Highway and West Avenue F. The move was hard on him, he said, and he was unable to transport all of his belongings. He deeply regretted having left tarps and blankets behind that were crucial to providing shade in the heat wave. R. told us he worried about his survival. "I relocated because I could not afford a citation," he said, "but I'm nervous about surviving without my community."



It's now impossible to reach some people without an all-terrain vehicle.

As a member of the Antelope Valley Chapter of the ACLU SoCal, **RUTH SANCHEZ** advocates for the rights of people who are unhoused. Along with other chapter members, she also distributes food, water, and clothing to unhoused people banished to the high desert. As law enforcement officers pushed people deeper into the desert, outreach became more difficult. “It’s now impossible to reach some people without an all-terrain vehicle,” she said.

In all cases we observed, banishment moved people farther from town, socially and geographically marginalizing them.

We first learned about banishment in the high desert from volunteer ACLU SoCal Chapter members who distribute food and water to unhoused people living around Lancaster. They reported that law enforcement officers had pushed some people so far into the desert that it became almost impossible to reach them without an all-terrain vehicle. Encampment residents were left to fend for themselves.

The banished people we talked to in the course of our investigation described living in conditions of life-threatening deprivation. The camps we visited are populated with RVs and cars in various states of disrepair. Some people use salvaged wood and stones to build lean-tos or shacks as living quarters. Others live in tents or in sleeping bags on the ground. A handful of people manage to maintain working generators, and everyone else lives without power. Community members share tools and trade parts in an effort to sustain one another. Few people have a viable form of transportation.

Everyone we talked to who was living outside of city limits described formidable struggles and harsh consequences that stem from the remoteness of the areas into which they were banished. Two themes that emerged from the interviews were the dangers presented by constant exposure to the elements and the lack of access to resources. These hazards are intertwined: the extreme desert climate becomes much more deadly when people lack ready access to the resources they need to stay alive. The conditions are especially dangerous given the vulnerability of banished people, some of whom are older, have disabilities, or struggle with health conditions. As a result, life in the high desert is exceedingly tenuous.

In interviews, people banished to the desert named access to water as an overriding concern. When we visited encampments, we always brought water to distribute, and noted that people

seemed relieved to receive it. This is not surprising: in town, unhoused people can use public water fountains, buy water from the store, and when desperate, use spigots on the sides of buildings. They can frequent food lines and visit charities. In the desert, they are cut off from all water sources, and must travel long distances to meet their water needs. Failing to do so can mean death—but the trek to get water can be deadly, too.

J. came close to perishing in her tent after toting 5-gallon containers of water from the nearest convenience store, which was miles away. Sickened by heat illness, her phone dead, she rationed her water for three days and waited to die. Her daughter, unable to reach J. by phone, became alarmed and set out to search for her. By luck, she found J.'s tent and nursed her back to health.

B., who had complied with orders to move outside of city limits only to be re-tagged again by the Los Angeles County Department of Regional Planning, has no transportation. During the summer of 2020, he said, he had to walk the 7-mile round trip to a shopping center for supplies, sometimes during record-breaking heat waves. Staying hydrated was a particular challenge, given the relentless summer heat.

“Water is heavy,”

B. explained, and he couldn't carry enough to meet his needs. Most of the time, he had to choose between bathing and drinking. To make matters worse, he had a terrible case of athlete's foot, and didn't have enough water to properly clean his feet. If B. moves even farther into the desert, these challenges will worsen.



None of us want to live like this, but we're stuck out here.

“The worst thing about living out here is that there is no water,” said **SHANNON WAINWRIGHT, 57**. Shannon has lived in the high desert outside of Lancaster city limits ever since law enforcement officers told her to leave town three years ago. “None of us want to live like this,” she said, “but we're stuck out here.”



He had no transportation, and had been trying to repair his truck for months.

LASD officers banished **MICHAEL WOOD** to the high desert outside of Lancaster city limits five months ago. When we talked with him, he had no transportation, and had been trying to repair his truck for months. “Even the junk yard wants \$500 for a rear end,” he said, “and I can’t afford it.” To make matters worse, he was grappling with a tragedy. “My uncle had a motor home just down the way,” he said. “Last week he was so cold and hungry he lit a little fire in his camper to stay warm, and it engulfed him in flames.” The next day, he said, he was supposed to go into the city to identify his uncle’s remains, but he wasn’t sure how he would get there.

No shoes, no heat, no transportation, and frostbite

When isolated in the desert, people reported, they constantly teeter on the edge of disaster. Even a small setback, such as losing a pair of shoes, can quickly escalate into a deadly catastrophe.

We met A., who lives in a broken-down RV, when we visited a remote encampment on a cold February day in 2020. A. owns a car that doesn’t work. His generator is in disrepair, so he can’t heat his RV. He told us that other people in his community were pushed to this spot when their previous encampment was red-tagged and code enforcement told them to move north of East Avenue H, outside of city limits. But A. just showed up at the spot after his landlord evicted him because he knew people were still allowed to camp there.

A.’s neighbors told us they were worried about him, and for good reason. His swollen and blackened feet were wrapped in rags into which he had tucked cut-out cardboard soles. He moved gingerly and was obviously in pain. Around Thanksgiving, A. explained, he lost his

shoes and was forced to walk barefoot in the snow. He developed frostbite and ended up in the hospital for a month. It was still cold at night, he said, which exacerbated his condition.

Given the damage to his feet, A. can no longer walk and uses a wheelchair to get around. There are no sidewalks, so when he needs to go somewhere, he must wheel through the desert sand. Despite these daunting challenges, he makes long treks into the city to buy food and other necessities. “Sometimes people bring food and sometimes they don’t,” he explained. A couple of days prior to our meeting, A. told us, he had wheeled across rough terrain to the nearest convenience store. He left at about 3:00 pm and didn’t get back to his RV until 8:00 or 9:00 pm.

A. said his physicians had warned him that putting off medical treatment could cost him his life. But he was frightened to go back to the hospital because he knew his doctors wanted to amputate his feet.

**“I’m worried
about my wife”**

A common theme in our interviews was the concern people had for vulnerable loved ones and community members, many of whom are older, have disabilities, or face health challenges. Banishment presents life threatening challenges for everyone; for people with underlying vulnerabilities, those challenges become amplified.

We interviewed D. in his stiflingly hot RV during the summer of 2019. He said he worried about the health of his pregnant wife, who sat quietly at his side. He also worried about a local encampment resident who has disabilities and some older people who lived nearby.

D. told us he had recently moved. “Around the 4th of July we were parked on East Ave. H in the desert,” he explained. “Our encampment was red-tagged. The sheriffs suggested we come here, on the other side of Ave. G. They said this is outside of Lancaster city limits, in unincorporated Los Angeles County, and they don’t have jurisdiction [to enforce ordinances] here. So we moved.”

Along with other encampment residents, D. relocated to an outpost on the northern side of Ave. G. Old RVs, makeshift huts, and a few tents dotted the vast and barren landscape. Life is harder for D. in this isolated location, and he worries about meeting the needs of his growing family. “It’s much more difficult to access the basic necessities now than when we were living off of Ave. H,” he said. “At Ave. H we were close to a liquor store. Now we are three miles from town. We don’t have a working car. I ride my bike to get to the store.”

She died of a heart attack, but the system really ate her up.

When **GARY FOSS** lived in Lancaster, LASD officers subjected him to constant harassment. “Law enforcement moved me six times in six months,” he recalled. Finally, he said, the officers banished him to the high desert outside of city limits. Gary was grieving for his wife, who died in his arms in their tent the day before Thanksgiving. “She died of a heart attack,” he said, “but the system really ate her up.”



Violations of Civil Rights

The City of Lancaster and LASD have engaged in a sustained practice of violating the fundamental rights of unhoused persons. These unlawful practices include harassment, criminalizing biologically necessary acts like sleeping, infringing upon freedom of movement in the region, and using threats of and actual criminalization to banish unhoused person from the city center and into the Mojave Desert where extreme weather conditions and limited life-sustaining resources endanger their lives. By engaging in these unlawful actions, Lancaster and its contracted

police force, LASD, violate state and federal law and expose themselves to significant and costly civil liability.

This section does not seek to enumerate every civil rights violation that may stem from Lancaster and LASD’s criminalization and banishment actions. Instead, this section seeks to outline the unconstitutional nature of these policies and practices, with hopes that Lancaster and LASD will heed ACLU SoCal’s recommendations and implement policy changes that ensure that the constitutional rights and dignity of the unhoused community are respected.

Deprivation of Substantive Due Process

The Substantive Due Process Clause of the Fourteenth Amendment of the U.S. Constitution and Article I, Section 7 of the California Constitution prohibit state actors from depriving persons of life, liberty, or property without due process of law. This report reveals that Lancaster and LASD have engaged in a pattern and practice of restricting the movement of unhoused persons and systematically banishing them to the Mojave Desert. These cruel and inhumane practices threaten the lives of unhoused residents and infringe upon their fundamental right to substantive due process under state and federal law.

Infringement on the Freedom of Movement

Utilizing its dragnet of criminalization and harassment, Lancaster and LASD systematically restrict the movement of unhoused persons within the region. The Fourteenth Amendment of the U.S. Constitution and Article I, § 7 of the California Constitution protect the fundamental right to intrastate and intramunicipal travel, allowing persons to move freely within any state or municipality.³¹

Despite being lawfully present in public spaces, unhoused persons report being routinely approached by LASD, with deputies firmly “suggesting” or ordering

through threats of criminal sanctions to leave public spaces. By restricting the ability of unhoused persons to move freely within public spaces and banishing them to the high desert outside of city limits, Lancaster and LASD infringe upon their constitutionally protected right to freedom of travel.

To ensure that unhoused persons’ right to freedom of movement is respected, we urge Lancaster to adopt Recommendation #1, which would ensure that all activities that banish unhoused persons from public spaces and the city limits cease.

State-Created Danger

Lancaster city officials and LASD engage in pervasive banishment practices that remove unhoused persons from city limits and displace them to the Mojave Desert, where extreme weather conditions and absence of life-sustaining resources are known threats to their safety and well-being. As the above harrowing stories from unhoused persons illustrate, banishment to the Mojave Desert can be a death sentence. By actively engaging in banishment practices that subject unhoused persons to known harm, Lancaster and LASD are responsible for producing state-created danger.

The Due Process Clause of the Fourteenth Amendment prohibits state actors from engaging in state-created danger, prohibiting them from placing individuals in situations of obvious

or known danger with deliberate indifference to their safety.³² It is well-established that municipalities may violate substantive due process under this doctrine by enacting policies and practices that endanger the lives of people experiencing homelessness, such as demolishing a homeless shelter during winter months.³³

To eliminate unlawful banishment practices that knowingly place unhoused persons in harm's way, Lancaster should adopt the ACLU of SoCal's recommendations, including Recommendations #1 and #3, which would cease harassment and criminalization practices that constitute the principal mechanisms for banishing unhoused persons into the high desert where harm is imminent.



Remnants of a displaced encampment in Lancaster.

**Cruel and Unusual
Punishment:
Criminalization
of Biologically
Necessary Acts**

This report reveals that Lancaster and LASD have been criminalizing conduct that is an unavoidable consequence of one’s status as unhoused, such as sleeping and seeking refuge in the shade. The Cruel and Unusual Punishment Clause of Article I, Section 17 of the California Constitution and the Eighth Amendment of the U.S. Constitution place substantive limits on what may be criminalized and do not permit the criminalization of involuntary conduct associated with one’s status.³⁴

**Criminalizing
Sleeping Outside**

Lancaster prohibits “camping” in public, criminalizing a host of living arrangements that are often the only shelter option for unhoused persons. Some of the unlawful behavior includes sleeping in a vehicle or park and even consuming or cooking food in public spaces.³⁵ These are all biologically necessary acts that persons experiencing homelessness have no choice but to engage in publicly because Lancaster does not provide sufficient indoor shelter. Instead of expanding its permanent and supportive housing options to provide housing for all unhoused persons, Lancaster utilizes its resources and police force to criminally sanction this vulnerable group.

Lancaster’s criminalization of the biologically necessary act of sleeping in public constitutes cruel and unusual punishment under Article I, Section 17 of the California Constitution and the Eighth Amendment of the U.S. Constitution. In *Martin v. City of Boise*, the Ninth Circuit held, pursuant to the Eighth Amendment, that “as long as there is no option of sleeping indoors, the

government cannot criminalize indigent, homeless people for sleeping outdoors, on public property, on the false premise they had a choice in the matter.”³⁶ In so holding, the court reasoned that:

[S]itting, lying, and sleeping... are universal and unavoidable consequences of being human. Moreover, any conduct at issue here is involuntary and inseparable from status — they are one and the same, given that human beings are biologically compelled to rest, whether by sitting, lying, or sleeping.’³⁷

As a result, just as the state may not criminalize the state of being homeless in public places, the state may not criminalize conduct that is an unavoidable consequence of being homeless — namely sitting, lying, or sleeping on the streets. To eliminate the unlawful criminalization of the biologically necessary acts of sleeping in public, we recommend that Lancaster adopt Recommendation #3 and shift resources away from criminalization and toward generating enough permanent and supportive housing for all unhoused residents.

**Criminalizing
Temporarily
Seeking Shade or
Cover as Loitering**

This report uncovers that unhoused persons in the sweltering heat and bitter cold of the Antelope Valley often seek temporary cover from the elements, sometimes near shopping centers and businesses. Despite knowing that unhoused persons are engaging in biologically necessary acts in extreme weather conditions, Lancaster and LASD choose to criminalize them for “loitering” even if they have only sought refuge for mere minutes.

Criminalizing resting and seeking shade through a loitering ordinance implicates the Cruel and Unusual Punishment Clause of Article I, Section 17 of the California Constitution and the Eighth Amendment of the U.S. Constitution. Like sleeping in public, it criminalizes unhoused persons for engaging in

involuntary conduct that is directly tied to their status as unhoused.

Lancaster’s loitering ordinance may also raise due process concerns relating to vagueness under Article I, Section 7 of the California Constitution and the Fourteenth Amendment of the U.S. Constitution. Lancaster may not define “loitering” with sufficient definiteness, provide clear notice of the prohibited conduct, and may subject unhoused persons to arbitrary and selective enforcement.³⁸ To eliminate the unlawful criminalization of biological acts and intrusion on the due process rights of unhoused persons, Lancaster should adopt Recommendation #3 and cease citing unhoused persons for loitering, particularly where it is evident that the shade or cover is a biological necessity.

**Unlawful Search,
Seizure and
Destruction of
Property**

As discussed above, Lancaster code enforcement and LASD deputies often conduct sweeps and red-tagging of unhoused encampments. During these sweeps, law enforcement and city officials seize and destroy the unabandoned belongings of unhoused persons, stripping them of life-sustaining necessities, identification, and prized personal possessions. These items hold immense value to persons experiencing homelessness. They shelter them from the elements when they are forced to sleep outside, enable them to navigate various systems that require identification, and are intrinsically precious to them—regardless of monetary value or utilitarian purpose—simply because they belong to them.

Lancaster and LASD’s search, seizure, and destruction of this personal property infringes upon unhoused persons’ state and federal constitutional rights to their property under Article I, Section 13 of the California Constitution and the Fourth and Fourteenth Amendments of the U.S. Constitution. Moreover, the Ninth Circuit has held that the U.S. Constitution “protect[s] homeless persons from government seizure and summary destruction of their unabandoned, but momentarily unattended, personal property.”³⁹ By seizing and destroying clearly unabandoned property, Lancaster and LASD are infringing upon the state and federal rights to be free from unreasonable seizures of property. To eliminate the unlawful deprivation of personal property, Lancaster should implement Recommendation #2, which would ensure that unhoused persons are not subject to unlawful seizure and destruction of their property.

**Panhandling
(or Aggressive
Solicitation)**

In the absence of adequate support from the County of Los Angeles and Lancaster, some unhoused persons must resort to soliciting donations to ensure that their most basic needs, such as food, medication, and public transportation fare, are met. Instead of pouring resources into increasing and removing barriers to employment and other sources of income, Lancaster chooses to criminalize panhandling, or aggressive solicitation.

Panhandling laws may infringe upon the free speech rights guaranteed under Article I, Section 2 of the California Constitution and the First Amendment of the U.S. Constitution.⁴⁰ At a minimum, these laws must be narrowly tailored to serve a significant government interest and must permit other channels of communication. By adopting a panhandling ordinance with a dubious government interest that restricts the speech of unhoused persons, Lancaster is exposing itself to significant liability.

To eliminate this interference with unhoused persons’ protected speech, Lancaster should implement Recommendation #4 and cease criminalizing soliciting donations. Instead, Lancaster should divert resources away from enforcing status criminalizing ordinances and toward increasing and removing barriers to employment and other sources of income.



Containers used for storing water, encampment in the Mojave Desert outside of Lancaster city limits. Encampment residents must walk miles to collect water.

Recommendations

This report illustrates the life-threatening consequences of criminalization and banishment of unhoused residents into the Mojave Desert. It reflects the urgent need for immediate reform to municipality-mandated practices and procedures. Without this vital reform, unhoused residents will continue to be pushed farther and farther into the desert, further separated from critical life-sustaining care and supplies, and at significant risk of serious bodily harm or death.

Lancaster, Los Angeles County, LASD, and LAHSA have the authority to institute meaningful change that would ensure that unhoused persons are treated with dignity and respect, afforded their federal and state constitutional rights, and provided with the resources and care needed to move them one step closer to affordable and permanent supportive housing. All interventions must be non-coercive and must prioritize the health and wellbeing of unhoused community members.

RECOMMENDATION #1: Stop forcibly moving and banishing people who are unhoused

- Eliminate municipal and law enforcement policies and practices that restrict the movement of unhoused residents, including those that:
 - Harass and aim to remove unhoused persons from public spaces
 - “Encourage” or order unhoused residents to leave city limits by threat of citation or through falsehoods that they will not be criminalized for their status in the high desert.

RECOMMENDATION #2: Stop seizing and destroying personal property

- Remove policies and practices that sanction the summary seizure and destruction of personal property.

RECOMMENDATION #3: Stop citing unhoused people for loitering/being and living in public

- Cease citing unhoused persons for loitering and living in public, particularly where it is clear that they are engaging in the conduct that is a biological necessity.
- Connect unhoused persons with services, such as public indoor spaces, that offer shelter during the day or hydration stations.

RECOMMENDATION #4: Stop citing unhoused persons for “aggressive solicitation”

- Cease infringing upon unhoused persons’ free speech by restricting their ability to solicit donations
- Divert resources away from restricting free speech and towards increasing and removing barriers to employment and other sources of income.

RECOMMENDATION #5: Decriminalize homelessness

- Guarantee non-repetition of criminalization of homelessness and banishment through legal and institutional reforms aimed at avoiding the wider conditions that allowed these practices to occur. These reforms must include:
 - Formal acknowledgement of the unlawful and harmful nature of criminalization of homelessness and banishment by Los Angeles County and the City of Lancaster through acts such as public statements and public apologies to survivors.
 - Removal of laws from the Los Angeles County Code and Lancaster Municipal Code that criminalize unhoused people for sleeping or being (for example, sitting or standing) in public and engaging in survival strategies unhoused people must conduct to stay alive.
 - Vetting of public officials to ensure alignment with decriminalization of homelessness.

RECOMMENDATION #6: Restitution, compensation for losses, and rehabilitation

- Repair harms by restoring the situation before the state-sanctioned violence was committed. This includes compensating people for property confiscated and/or destroyed in sweeps, expunging criminal records of charges and convictions related to unlawful enforcement of laws that criminalize homelessness, and compensating people for related legal fees and fines paid.
- Compensate survivors for the broader impacts of criminalization and banishment, including lost opportunities and deteriorated health and mental health.
- Provide rehabilitative services to survivors to mitigate lasting harms (e.g., long term medical and mental health care).

RECOMMENDATION #7: Treat homelessness as a human rights violation and a humanitarian crisis

- Base all government responses to unhoused people on the principle that homelessness is a human rights violation and a humanitarian crisis. Law enforcement is not an appropriate response.
- Following this principle, use LAHSA staff or other social service, health, and mental health workers as the first responders for homelessness. They should bring unhoused people life-saving resources, including water, food, hygiene stations, and health care. They should interact with unhoused people in a trauma-informed way and mobilize all available resources in response to their expressed needs.
- Completely decouple outreach from law enforcement and/or code enforcement. Outreach workers should not be accompanied by law enforcement/code enforcement officers or officials of any kind.

RECOMMENDATION #8: Invest in affordable and permanent supportive housing, not criminalization and banishment

- Shift county and city resources to address homelessness from law enforcement to the provision of affordable and permanent supportive housing.
- Make significant new investments in housing as the primary response to homelessness.
- Reimagine public safety as a world in which all people are afforded the opportunity to live in their own affordable, permanent, and safe home with access to needed services.

Conclusion

In the fall of 2019, Lancaster Mayor R. Rex Parris told an ABC7 reporter, “I am telling [unhoused people], don’t come here. Go someplace else. We are not the solution to Los Angeles’ homeless problem.”⁴¹ As we show in this report, these words are consistent with Lancaster’s violent and unlawful campaign to criminalize and banish its unhoused residents.

Despite the city’s efforts, however, homelessness has not disappeared. In fact, homelessness in Lancaster increased by 126% from 2019 to 2020. As it turns out, state-sanctioned violence does not solve the problem. Instead, it exacerbates the problem and creates a moral crisis that should concern us all.

Many entities are responsible for this crisis. The city has passed and enforces ordinances that criminalize homelessness. It has displaced unhoused residents, destroyed their property, and banished them to the high desert. LASD deputies, under a contract with Lancaster, have largely carried out the campaign, and county elected officials, headed by the leadership of Supervisor Barger, have stood by as it has unfolded. The County Department of Regional Planning has conducted a sweep of its own on unincorporated county land during a global pandemic and heat wave. LAHSA outreach workers have endowed the tactics of law enforcement officers with a veneer of legitimacy by providing services in conjunction with unlawful and harmful sweeps. And local businesses have directed security personnel to run off unhoused people.

Ending the forms of violence documented in this report will require a commitment

from multiple actors in the private and public sectors. All responsible parties must immediately cease actions that harm unhoused people and violate their rights. They should follow the recommendations in this report, which prioritize the health, wellbeing, and dignity of our most economically disadvantaged community members.

At the most fundamental level, the responsibility for this crisis lies with all of us.

The impacted people we interviewed during our investigation spoke out about the human and civil rights violations they have endured with the hope that someone would listen. We must pay attention to their message and stand with them to demand that our elected officials, who act on our behalf, end the violence.

But we cannot stop there. To heal from this injustice and cultivate societal growth, we need a moral reckoning. We must insist that our government redress the damage it has inflicted through reparations, including restitution for the losses incurred by survivors. To ensure that history does not repeat itself, our elected leaders must publicly acknowledge and take responsibility for their violations of civil and human rights and wipe ordinances that criminalize homelessness from their codes. Finally, we must demand that our elected leaders commit the resources necessary to end homelessness, and the suffering that comes with it, by investing in sufficient affordable and permanent supportive housing to meet the need.

Los Angeles County

Ordinances Regulating Camping and Sleeping

Los Angeles County regulates camping in public parks, prohibiting camping in undesignated areas and bringing vehicles designed for overnight sleeping into any park not designated as a camping area.

Section 17.04.380 provides: “A person shall not bring a house trailer or other recreation travel-trailer type vehicle which can be used for overnight sleeping purposes into any park not having a designated overnight camping area except when authorized by the director for firefighting or other public emergencies.” L.A. County, Cal., Mun. Code § 17.04.380.

Section 17.04.390 provides: “A person shall not camp in any park except where a family-type camping area is so designated, and then only in accordance with the rules and regulations governing the use of such area.” L.A. County, Cal., Mun. Code § 17.04.390(A).

Ordinances Regulating Solicitation

The County prohibits aggressive solicitation in public parks. “Aggressive solicitation” includes:

- A. Approaching or speaking to a person, or following a person before, during or after soliciting, if that conduct is intended or likely to cause a reasonable person to (i) fear bodily harm to themselves or another, or damage to or loss of property, or (ii) otherwise be intimidated into giving money or other thing of value.
- B. In the course of solicitation, intentionally touching or causing physical contact with a person or occupied vehicle without the consent of the person or the vehicle occupant.
- C. In the course of solicitation, intentionally blocking or interfering with the safe or free passage of a pedestrian or vehicle by any means, including unreasonably causing the pedestrian or vehicle operator to take evasive action to avoid physical contact.
- D. Using violent or threatening gestures toward a person either before, during, or after the solicitation.
- E. Persisting in the solicitation by closely following or approaching a person after that person has informed the solicitor by words or conduct that he or she does not want to be solicited or otherwise give money or other thing of value to the solicitor.
- F. Soliciting within 15 feet of any automated teller machine (“ATM”). When an ATM is located within an ATM structure or facility, the distance set forth in this subsection shall be measured from the entrance or exit of such structure or facility.

L.A. COUNTY, CAL., MUN. CODE § 17.04.460 (2019).

Lancaster

Ordinances Establishing Administrative Citation Scheme

Lancaster has an administrative citation program that has a “pay to appeal” scheme requiring cited individuals to pay the entire \$500 or \$1000 penalty as a prerequisite to appealing. Lancaster’s municipal code provides:

- A. Approaching or speaking to a person, or following a person before, during or after soliciting, if that conduct is intended or likely to cause a reasonable person to (i) fear bodily harm to themselves or another, or damage to or loss of property, or (ii) otherwise be intimidated into giving money or other thing of value.
- A. Any person violating any provision of this code may be issued an administrative citation by an enforcement officer as provided in this chapter.
- B. Each and every day a violation of any provision of this code exists constitutes a separate and distinct offense. Each section of this code which is violated constitutes a separate violation for any day at issue.
- C. A civil penalty for violations of any provision set forth in this code may be assessed by means of an administrative citation issued by the enforcement officer and shall be payable directly to the city.
- D. Civil penalties assessed by means of an administrative citation shall be due thirty (30) days from the date of the citation and will be collected in accordance with the procedures specified in this chapter.

Lancaster, Cal., Mun. Code § 1.16.050 (2019)

- A. Persons receiving an administrative citation may appeal it within ten (10) calendar days from the date the citation is served. The appeal must be in writing and must indicate a return address. It must be accompanied by the penalty amount, specifying the basis for the appeal in detail, and must be filed with the city as indicated in the administrative citation. If the deadline falls any day city hall is closed, then the deadline shall be extended until the next regular business day.

Lancaster, Cal., Mun. Code § 1.16.090 (2019)

Ordinances Regulating Loitering

Lancaster prohibits loitering after a police officer has instructed the person to move from an area, loitering that obstructs access to a building, and loitering in the parking lot of a shopping center. Lancaster's municipal code provides:

- A. Rights-of-Way. No person, after first being warned by a peace officer to vacate the premises, or where a sign has been posted giving notice of the provisions of this chapter, shall loiter in or upon any public street, sidewalk, curb, crosswalk or other public right-of-way so as to obstruct the free passage of pedestrian or vehicular traffic thereon. This section does not prohibit a person from sitting upon a public right-of-way if:
 - 1. Necessitated by physical disability;
 - 2. Viewing a legally conducted parade; or
 - 3. On a bench lawfully installed.
- B. Buildings. No person shall loiter so as to obstruct or prevent access to any structure or building open to the public.
- C. Shopping Centers. No person, after first being warned by a peace officer to vacate the premises, or where a sign has been posted giving notice of the provisions of this chapter, shall loiter in a parking lot of a shopping center without lawful business in any of the retail stores or service establishments of such shopping center.

Lancaster, Cal., Mun. Code § 9.12.020 (2019).

Ordinances Regulating Camping and Sleeping

Lancaster prohibits camping and sleeping in public places; the sleeping provision is subject to Martin. Lancaster's Municipal Code Section 9.34.010 prohibits camping and sleeping "on a public street (including in a vehicle parked on a public street), on a publicly-owned property, and in public parks and other prohibited public places." Lancaster, Cal., Mun. Code § 9.34.010(A) (2019). "Prohibited public places" refers to "any public place not designated as a public campground."

Lancaster, Cal., Mun. Code § 9.34.010(C) (2019).

Ordinances Regulating Solicitation

Lancaster prohibits all aggressive solicitation, and regulates soliciting in certain locations such as banks and ATMs, public transit areas, restaurants, and parking lots.

Aggressive solicitation is banned at all times. Lancaster, Cal., Mun. Code § 9.36.020 (2019). “Aggressive solicitation” is defined as:

1. Approaching or speaking to a person, or following a person before, during or after soliciting, asking or begging, if that conduct is intended or is likely to cause a reasonable person to (i) fear bodily harm to oneself or to another, damage to or loss of property, or (ii) otherwise be intimidated into giving money or other thing of value;
2. Intentionally touching or causing physical contact with another person or an occupied vehicle without that person’s consent in the course of soliciting, asking or begging;
3. Intentionally blocking or interfering with the safe or free passage of a pedestrian or vehicle by any means, including unreasonably causing a pedestrian or vehicle operator to take evasive action to avoid physical contact;
4. Using violent or threatening gestures toward a person solicited either before, during, or after soliciting, asking or begging;
5. Persisting in closely following or approaching a person, after the person solicited has been solicited and informed the solicitor by words or conduct that such person does not want to be solicited or does not want to give money or any other thing of value to the solicitor; or
6. Using profane, offensive or abusive language which is inherently likely to provoke an immediate violent reaction, either before, during, or after solicitation.

Lancaster, Cal., Mun. Code § 9.34.010 (2019).

Ordinances Regulating Shopping Carts

Lancaster requires shopping carts owners to permanently affix a sign to each shopping cart with the identity of the cart owner, a notification that unauthorized removal and possession of the cart is a misdemeanor, and contact information for returning the shopping cart to its owner. Lancaster, Cal., Mun. Code § 8.62.090. Another code section criminalizes removal, possession, abandonment, and tampering of shopping carts. The section states it is unlawful to perform any of the following when a shopping cart has a permanently affixed sign in accordance with Section 8.62.090:

1. To remove a shopping cart from the store premises with the intent to temporarily or permanently deprive the shopping cart owner of possession of the cart;
2. To be in possession of any shopping cart that has been removed from the store premises with the intent to temporarily or permanently deprive the shopping cart owner of possession of the cart;
3. To be in possession of any shopping cart with serial numbers or identification signage removed, obliterated, or altered, with the intent to temporarily or permanently deprive the shopping cart owner of possession of the cart;
4. To leave or abandon a shopping cart at a location other than the store premises with the intent to temporarily or permanently deprive the shopping cart owner of possession of the cart;
5. To alter, convert, or tamper with a shopping cart, or to remove any part or portion thereof or to remove, obliterate or alter serial numbers or identification signage on a cart, with the intent to temporarily or permanently deprive the shopping cart owner of possession of the cart;
6. To be in possession of any shopping cart while that cart is not located on the store premises, with the intent to temporarily or permanently deprive the shopping cart owner of possession of the cart.

Lancaster, Cal., Mun. Code § 8.62.050.

*Appendix II: Catalogue of anti-homeless citations in
City of Lancaster (6/17/2018-7/26/2019)*

	Date	Legal Code	Race	Location	Description
Shopping Cart	8/22/2018	22435.2 (f) BP	Latine	13th St W / W Av I	shopping cart, "sleeping on the ground...borrowing it to move her belongings"
	2/13/2019	8.62.050 (a) (2)	Black	Av J/Valley Central Wy	Shopping cart off premises -> using cart "to carry her personal items"
	2/13/2019	8.62.050 (a) (2)	White	12th St W/ Av K	"to carry his personal items because he has too much to carry by hand"
Loitering	6/27/2018	9.12.020 (c)LMC	Latine	Outside liquor store (Challenger Wy/Ave K)	loitering, "he said he was just sitting in the shade"
	7/6/2018	9.12.020 (c)LMC	Black	1201 W Ave I	"loitering behind a business with posted signs...I have cited the suspect for loitering in the past"
	7/6/2018	9.12.020 (c)LMC	Latine	Sierra Hwy / Ave J-2	loitering, [she] said she was just 'hanging out'"
	7/12/2018	9.12.020 (c)LMC	Black	44011 Sierra Hwy (7-11)	loitering
	7/14/2018	9.12.020 (c)LMC	White	1326 W Ave K	"standing in a parking lot... he stated he been at the location for approx. 30 min"
	7/14/2018	9.12.020 (c)LMC	Black	1101 W Ave J	loitering, "stated he been hanging out in the business waiting for his ride"
	7/19/2018	9.12.020 (c)LMC	White	on grass of shopping center (Division St/ Ave J)	"sitting on the grass..all his personal items laid out and appeared to be preparing to fall asleep"
	7/19/2018	9.12.020 (c)LMC	Latine	sitting on grass at 101 E Ave J	"sitting on the grass...had all her personal items laid out...sitting on the ground for approximately 3-4 minutes...[she] stated she was sitting in the shade"

	Date	Legal Code	Race	Location	Description
Loitering	7/19/2018	9.12.020 (c)LMC	Black	sitting on grass at 101 E Ave J	“sitting on the grass...for approximately 3-4 minutes”
	7/27/2018	9.12.020 (c)LMC	White	44733 10th St W	loitering, “sitting in a parking lot. He stated he was waiting for his friend”
	7/28/2018	9.12.020 (c)LMC	Black	1101 W Ave I	“standing against the wall...stated she was not conducting business at the location and was trying to collect money from patrons for food”
	7/28/2018	9.12.020 (c)LMC	White	101 E Ave J	“sitting against wall...with her dog and her belongings set all around her...[stated she] was just about to leave”
	8/3/2018	9.12.020 (c)LMC	Black	101 E Ave J	loitering
	8/3/2018	9.12.020 (c)LMC	White	101 E Ave J	loitering
	8/13/2018	9.12.020 (b) LMC	White	Division St / Ave J (101 E Ave J Arco)	loitering and interfering with business, “lying across public walkway”
	8/20/2018	647 (h) PC	White	101 E Ave J	“lying across public walkway...he told me he did not leave last time and he was not going to leave this time”
	8/22/2018	9.12.020 (c)LMC	White	1201 W Ave I	loitering, “sitting on the ground”
	8/22/2018	9.12.020 (c)LMC	White	1201 W Ave I	loitering, “sitting on the ground”
	8/24/2018	9.12.020 (c)LMC	Latine	6th St E / E Av K	“sitting against the wall... [stated he] was staying in the shade to stay cool”
8/24/2018	9.12.020 (c)LMC	Black	1201 W Ave I	loitering “sitting on the ground”	

	Date	Legal Code	Race	Location	Description
Loitering	8/24/2018	9.12.020 (c)LMC	Black	101 E Ave J	loitering "sitting on the ground"
	10/5/2018	9.12.020 (B) LMC	Black	601 W Lancaster Blvd (w. of sierra hwy)	loitering, "sleeping, covered in a blanket...sleeping there for several hours"
	10/5/2018	9.12.020 (B) LMC	Black	544 W Lancaster Blvd	loitering, "sleeping, covered in a blanket...sleeping there for several hours"
	10/5/2018	9.12.020 (B) LMC	White	[censored address]	loitering, "sleeping, covered in a blanket...sleeping there for several hours"
	10/24/2018	9.12.020 (C)LMC	Black	44412 Division St	loitering
	10/24/2018	9.12.020 (C)LMC	Latine	44412 Division St	loitering
	11/6/2018	9.12.010	Black	918 W Lancaster Blvd	loitering, "sitting in front of the arco gas station...trying to get money"
	1/24/2019	9.12.020 (C)LMC and 9.20.030	Black	861 Avenue I	loitering and public drinking (no description provided)
	1/24/2019	9.12.020 (C)LMC and 9.20.030	Black	861 Avenue I	loitering and public drinking (no description provided)
	3/3/2019	647 (h) PC / M 221	White	40th St W/ Ave L (4025 West Avenue L) on the east side of Quartz Hill Towne Centre)	loitering, "determined the suspect was loitering ...with the intent to panhandle"suspicious about given identity, brought suspect to PD, on probation with 2 warrants
4/2/2019	9.12.020 (c)LMC	Black	101 E Ave J (Arco)	"standing in front of entrance...refused to leave... quickly rode bicycle... conducted bicycle stop to cite"	

	Date	Legal Code	Race	Location	Description
Loitering	4/25/2019	9.12.020 (c)LMC	Latine	1007 W Ave I	“sleeping in front of Taco Bell. We received multiple service calls”
	5/1/2019	9.12.020 (a) LMC	White	Ave J / Valley Central Wy	“personal belongings were blocking [the sidewalk]... ‘Just sitting here”
	5/16/2019	9.12.020 (c)LMC	Black	parking lot of closed businesses,1005 W Ave I	loitering, she”was there because she is homeless”
	5/16/2019	9.12.020 (c)LMC	Black	parking lot of closed businesses,1005 W Ave I	loitering, “‘hanging’ out because he is homeless
	5/22/2019	9.12.020 (c)LMC	Black	44011 Sierra Hwy (7-11)	“he stated he was ‘just chilling and looking for some extra cash”
	5/24/2019	9.12.020 (c)LMC	Black	918 W Lancaster Blvd (arco)	loitering
	6/2/2019	9.12.010 LMC	Black	101 E Ave J (Arco)	loitering “sitting on the curb outside ARCO)”
	6/3/2019	9.12.010 LMC	White	844 E Ave J (7-11)	loitering, “sitting on the curb outside of 7-11”
	6/12/2019	9.12.020 (c)LMC	Latine	20th W / Ave I (AmPm)	loitering, “I asked him what he was doing and he stated ‘just hanging out”
	6/28/2019	9.12.020 (c)LMC	Black	43636 10th St W	loitering, “sitting ...against the wall”
6/28/2019	9.12.020 (c)LMC	Black	43636 10th St W	loitering, “sitting ...against the wall”	
Camping	6/21/2018	9.34.010 (c)LMC	Black	Sierra Hwy / Pillsbury St	illegal camping, “sleeping on large blanket”
	6/23/2018	9.34.010 (c)LMC	White	Sierra Hwy / Pillsbury St	illegal camping, “sleeping on large blanket”
	6/28/2018	9.34.010 (A)LMC	Other	17th St W / Ave K	illegal camping “sitting in a tent”

	Date	Legal Code	Race	Location	Description
Camping	6/28/2018	9.34.010 (A)LMC	White	17th St W / Ave K	illegal camping "sitting in a tent"
	6/28/2018	9.34.010 (A)LMC	White	Ave J 12 / 8th St E	illegal camping, "[responded] regarding a call...inside of a tent..in a public dirt field"
	6/28/2018	9.34.010 (A)LMC	Latine	Ave J 12 / 8th St E	illegal camping, "[responded] regarding a call...inside of a tent..in a public dirt field...stated he stayed there"
	7/4/2018	9.34.010 (A)LMC	Black	43847 N. Heaton Ave	"illegally camping in an abandoned building"
	7/4/2018	9.34.010 (c)LMC	White	Ave H / Trevor Ave (west of)	illegal camping, "he has a tent...stated he currently lives here because he is homeless"
	7/4/2018	9.34.010 (c)LMC	White	Ave H / Trevor Ave (west of)	illegal camping, "had a tent"
	7/4/2018	9.34.010 LMC	White	Ave H / Trevor Ave (west of)	illegal camping, "sleeping inside the tent upon our arrival"
	7/5/2018	9.34.010 (A)LMC	Black	43847 N. Heaton Ave	"illegally camping in an abandoned building"
	7/5/2018	9.34.010 (A)LMC	Latine	43847 N. Heaton Ave	"illegally camping in an abandoned building"
	7/5/2018	9.34.010 (A)LMC	Black	43847 N. Heaton Ave	"illegally camping in an abandoned building"
	7/5/2018	9.34.010 (A)LMC	White	43847 N. Heaton Ave	"she stated that she is homeless and has been living at the location"
	7/5/2018	9.34.010 (A)LMC	White	43847 N. Heaton Ave	"illegally camping in an abandoned building"
	7/5/2018	9.34.010 (A)LMC	Latine	43847 N. Heaton Ave	"illegally camping in an abandoned building"
	7/5/2018	9.34.010 (A)LMC	White	43847 N. Heaton Ave	"illegally camping in an abandoned building"

	Date	Legal Code	Race	Location	Description
Camping	7/5/2018	9.34.010 (c)LMC	Black	43847 N. Heaton Ave	“illegally camping in an abandoned building”
	7/11/2018	9.34.010 (A)LMC	White	Sierra Hwy / Jackman St	illegal camping, “sleeping on the floor”
	7/11/2018	9.34.010 (A)LMC	White	Sierra Hwy / Jackman St	illegal camping “laying on top of sleeping bag”
	7/14/2018	9.34.010 (A)LMC	White	43847 N. Heaton Ave	illegal camping, abandoned building
	7/14/2018	9.34.010 (b)LMC	White	43847 N. Heaton Ave	illegal camping “sleeping at the location. She stated she was homeless and used the vacant building as her place of residence to sleep”
	7/14/2018	9.34.010 LMC	White	43847 N. Heaton Ave	illegal camping “sleeping at the location. He stated she was homeless and used the vacant building as his place of residence to sleep”
	7/18/2018	9.34.010 LMC	White	15th St W / Ave K	illegal camping “she was homeless and staying there for about one month”
	7/18/2018	9.34.010 LMC	Latine	15th St W / Ave K	illegal camping, “homeless and staying there for about one week”
	7/20/2018	9.34.010 (A)LMC	White	43847 Heaton Ave	illegal camping, “had a bed...suspect was sleeping in his bed upon our arrival”
	7/21/2018	9.34.010 (A)LMC	Black	44500 Sierra Hwy	illegal camping “he stated he slept in the tent because he was homeless”
	7/26/2018	9.34.010 (A)LMC	White	Yucca Ave/ West Oldfeild	illegal camping, “she was sleeping inside the tent upon our arrival”
	7/26/2018	9.34.010 (A)LMC	Black	Yucca Ave/ West Oldfeild	illegal camping, “sitting inside tent”

	Date	Legal Code	Race	Location	Description
Camping	7/26/2018	9.34.010 (A)LMC	White	Date Ave/ Lancaster Blvd	illegal camping, "sleeping in a vehicle parked on a city street. He stated he was homeless and used the vehicle as a place to sleep"
	7/26/2018	9.34.010 (c)LMC	White	Date Ave/ Lancaster Blvd	illegal camping, "sleeping in a vehicle parked on a city street. She stated she was homeless and used the vehicle as a place to sleep"
	7/28/2018	9.34.010 (A)LMC	Black	Yucca Ave/ Newgrowe St	illegal camping "he was sleeping inside the tent upon our arrival"
	7/28/2018	9.34.010 (A)LMC	Black	Trevor Ave / Oldfield	illegal camping "laying inside tent upon our arrival"
	7/28/2018	9.34.010 (A)LMC	Black	Yucca Ave/ Newgrowe St	illegal camping, "sleeping inside tent"
	7/28/2018	9.34.010 (A)LMC	White	Fern Ave / Ave I	illegal camping "camping behind residences"
	7/28/2018	9.34.010 (A)LMC	Black	Fern Ave / Ave I	illegal camping "camping behind residences"
	7/28/2018	9.34.010 (A)LMC	Latine	Fern Ave / Ave I	illegal camping "stated she lives at the location"
	7/28/2018	9.34.010 (A)LMC	Latine	Yucca Ave/ Newgrowe St	illegal camping, "laying inside tent"
	8/3/2018	9.34.010 (A)LMC	Black	Lancaster Blvd / Spearman Ave	illegal camping "told me he sleeps there because he is homeless"
	8/3/2018	9.34.010 (A)LMC	White	Yucca Ave/ Newgrowe St	illegal camping
	8/3/2018	9.34.010 (A)LMC	Black	Division St / Ave J	illegal camping
	8/3/2018	9.34.010 (A)LMC	White	Division St / Ave J	illegal camping
	8/3/2018	9.34.010 (A)LMC	Black	Division St / J-11 (Ave?)	illegal camping

	Date	Legal Code	Race	Location	Description
Camping	8/3/2018	9.34.010 (A)LMC	Latine	Division St / Ave J	illegal camping
	8/6/2018	9.34.010 (A)LMC	Black	10th St West / Ave I	illegal camping, "vacant lot...lying down on a couch asleep"
	8/8/2018	9.34.010 (A)LMC	Black	20th St W / Ave H	illegal camping "green tent in a dirt field"
	8/8/2018	9.34.010 (c)LMC	Black	20th St W / Ave H	illegal camping, "inside of motor home in a dirt field"
	8/8/2018	9.34.010 (c)LMC	Black	20th St W / Ave H	illegal camping, "inside of motor home in a dirt field"
	8/8/2018	9.34.010 LMC	White	20th St W / Ave H	illegal camping, "in the desert...she has been living at the indicated location for several months"
	8/8/2018	9.34.010 LMC	White	20th St W / Ave H	illegal camping, "in the desert...she has been living at the indicated location for several months"
	8/8/2018	9.34.010 LMC	White	20th St W / Ave H	illegal camping, "in the desert at a tent. He stated he was homeless and was living there"
	9/10/2018	9.34.010 (A)LMC	White	Ave J / 12th St W	illegal camping, "sleeping on the sidewalk"
	10/15/2018	9.34.010 (A)LMC	Black	Gadsden Ave / Lancaster Blvd	illegal camping, "laying on the ground asleep using his personal belongings as a pillow"
	7/26/2019	9.34.010 (A)LMC	White	Yucca Ave/ West Oldfield	illegal camping, "sitting inside the tent"
Aggressive Solicitation	6/20/2018	9.36.020 LMC	White	Ave J / 25th St W	"walking up and down the sidewalk approaching drivers "

	Date	Legal Code	Race	Location	Description
Aggressive Solicitation	6/20/2018	9.36.020 LMC	Black	Ave J / 25th St W	“walking up and down the sidewalk approaching drivers “
	6/20/2018	9.36.020 LMC	White	Ave J-8 / 20th St W	“and she said, ‘trying to get money today’”
	6/20/2018	9.36.020 LMC	White	Ave J-8 / 20th St W	“and he said ‘trying to get some cash’”
	6/20/2018	9.36.020 LMC	White	Ave K / 15th St W	aggressive solicitation (really just panhandling)
	6/20/2018	9.36.020 LMC	White	W Ave J / Valley Central Way	aggressive solicitation (really just panhandling)
	6/20/2018	9.36.030 LMC	White	Ave J-8 / 20th St W	“and he said, ‘this is how I make money’”
	8/10/2018	9.36.020 LMC	Black	17th St E / Ave J	aggressive solicitation “standing on the North/ West corner holding a sign. He stated he did not have a job, and used his sign and approached cars to ask [for] money to get food”
	8/11/2018	9.36.020 LMC	White	Valley Central Wy / Ave J	aggressive solicitation, “holding up a sign asking people for money...for a few hours...received approx. \$10”
	8/28/2018	9.36.020 LMC	Black	13th St W / Ave K	“suspect admitted to asking for money from people walking by”
	8/28/2018	9.36.020 LMC	Black	13th St W / Ave K	“suspect admitted to asking for money from people walking by”
	1/4/2019	9.36.020 LMC	White	Ave J / 14 Fwy	“walking up and down the sidewalk approaching drivers “
	2/13/2019	9.36.020 LMC	White	Valley Central Wy / Ave J	“holding a cup out towards cards”, panhandling

	Date	Legal Code	Race	Location	Description
Aggressive Solicitation	2/19/2019	9.36.020 LMC	White	Ave J / 14 Fwy	“and he said ‘making money for breakfast’”
	4/5/2019	9.36.020 LMC	Latine	Ave L / 10th St W	aggressive solicitation (really just panhandling)
	6/1/2019	9.36.020 LMC	White	Ave J / 14 Fwy	she said “getting money or a bus ticket”
	6/17/2019	9.36.020 LMC	White	W Ave J / Valley Central Way	“walking up and down the sidewalk approaching drivers “
	6/20/2019	9.36.020 LMC	White	Valley Central Wy / W Ave J	aggressive solicitation “getting money for my house payment”
	6/21/2019	9.36.020 LMC	White	Valley Central Wy / W Ave J	aggressive solicitation, “what else am I supposed to do”
	6/21/2019	9.36.020 LMC	White	Valley Central Wy / W Ave J	aggressive solicitation (really just panhandling)

Date of Interview	Current living situation	Issues with law enforcement	Biggest concern about being unhoused in Lancaster
8/18/2019	Motel	Arrested	Lack of access to housing
	Tent	Belongings destroyed	
	Couch Surfing	Belongings destroyed, citation, Red-tagged	
	Street	Citation	Lack of access to restrooms, food, water, and housing
	Tent	Citation	Lack of access to housing, showers, and shelter
	Street	Citation for jaywalking	
	Street	Citation, belongings destroyed	
	Street	Citation, displaced	Getting back into society, lack of access to basic necessities
	Shared House	Citation, displaced	
	Tent	Displaced	Safety, health
	RV	Displaced	Lack of access to water and restrooms
	Street	Displaced	
	RV	Displaced, belongings destroyed, banished	
	Rented Room	Displaced, citation	Instability, exposure to elements, displacement
	Street	Displaced, harrassment	Lack of access to housing
	Tent	Displaced, jaywalking citation, belongings destroyed	
Tent	Displaced, loitering citation, panhandling citation	Housing, displacement	

Date of Interview	Current living situation	Issues with law enforcement	Biggest concern about being unhoused in Lancaster
8/18/2019	Tent	Displaced, red-tagged	Lack of access to housing
	RV	Displaced, red-tagged	Snakes
	Street	Displaced, red-tagged, belongings destroyed	Lack of access to food; staying alive
	Car	Displaced, red-tagged, citation	Lack of access to housing
	Friends	Loitering citation, arrested, displaced	Lack of access to housing
	Car	Loitering citation, belongings destroyed, sexual harrasment	Being uncomfortable
	Street	Parole	Meanness of system
	Street, Sometimes Shelter	Red-tagged, jaywalking citation	
	Tent	Red-tagged	Lack of access to water
	Street	Red-tagged	Needs tarps and ropes
	Tent	Red-tagged	
	Street	Red-tagged, belongings destroyed	Lack of access to sanitation and housing
	Encampment	Red-tagged, belongings destroyed	Lack of access to warer and ice
	Tent	Red-tagged, belongings destroyed	
	Street	Red-tagged, car-towed	Lack of access to housing
	Encampment	Red-tagged, car-towed	Lack of access to water
	Tent	Tazed, red-tagged, belongings destroyed	

Date of Interview	Current living situation	Issues with law enforcement	Biggest concern about being unhoused in Lancaster
8/18/2019	Car		Lack of access to housing
	Car		Lack of access to housing
	Friends		
	Street		
	Street		
2/23/2020	Van	Citation (expired tags)	Unable to pay citation/get new tags; unable to access public services such as cash aid because they are right next to sheriff station and they are nervous about having car towed.
	Tent	Harrassment, displaced	Lack of access to basic necessities
	Street	Harrassment, displaced	Lack of access to basic necessities; in wheelchair; cannot get help
	Temporary housing program	Red-tagged multiple times, displacement to desert	
	RV		Frostbite on feet-may need amputation
3/6/2020	Homeless shelter	Citations, harassment, displaced, ordered to go to homeless shelter	Lack of access to housing
	Tent	Displaced, harassment, red-tagged	
	Street, sometimes family		Exposure to elements
	Friends; street		Lack of access to housing

Date of Interview	Current living situation	Issues with law enforcement	Biggest concern about being unhoused in Lancaster
8/13/2020	RV	Ticketed at fairgrounds and moved farther into desert “where nobody bothers you,” Red-tagged, displaced	
8/31/2020	RV	Red-tagged on 7/30/2020, displaced;	When displaced left behind many crucial items like blankets and tarps needed for shade during heat wave.
9/2/2020	RV	Red-tagged, displaced, banished	Order by law enforcement to move: truck has mechanical issues and may have to leave many items behind.
	Couch surfing	Red-tagged, displaced, left because couldn’t afford fine, officers yelling and cursing at her when dropping off hand-washing stations.	May have to give up RV because of lack of access to parking. May need to go back to living in car.
	RV	Red-tagged	Does not want to be too close to the city because of law enforcement harassment.

Endnotes

- ¹ Shakespeare, W. (n.d.). *Romeo and Juliet*. Sparknotes: No fear translation. https://www.sparknotes.com/nofear/shakespeare/romeojuliet/page_166/
- ² United Nations Department of Economic and Social Affairs. (1964). Study of the right of everyone to be free from arbitrary arrest, detention and exile (Publication No. 65.XIV 2 E/CN. 4/826/Rev. 1). <https://undocs.org/pdf?symbol=en/E/CN.4/826/Rev.1>
- ³ Los Angeles Homeless Services Authority (July 31, 2020). 2020 Greater Los Angeles homeless count results. <https://www.lahsa.org/documents?id=4692-2020-greater-los-angeles-homeless-count-total-point-in-time-homelesspopulation-by-geographic-areas>.
- ⁴ Paul Ong (2020, Aug. 7), Systematic Racial Inequality and the COVID-19 Renter Crisis, <https://challengeinequality.luskin.ucla.edu/2020/08/07/systemic-racial-inequality-covid-19-renter-crisis/> (finding that preexisting income and education inequality result in minority groups facing higher rates of eviction due to COVID-19 and at significant risk of mass displacement and homelessness).
- ⁵ Los Angeles Homeless Services Authority (2020, June 12). 2020 Greater Los Angeles Homeless Count shows 12.7% rise in homelessness despite sustained increase in number of people rehoused. <https://www.lahsa.org/news?article=726-2020-greater-los-angeles-homeless-countresults#:~:text=LOS%20ANGELES%2C%20CA%E2%80%94The%20Los.point%2Din%2Dtime%20count>.
- ⁶ Housing Authority of the City of Los Angeles (n.d.). Section 8 Housing Choice Voucher waiting list lottery to open on Monday. <http://home.hacla.org/News-Notifications/ArticleID/124/Section-8-Housing-Choice-Voucher-Waiting-List-Lottery-to-Open>
- ⁷ Wick, Julia. (2017, April 4). The waiting list for Section 8 vouchers in L.A. is 11 years long. LAist. https://laist.com/2017/04/04/section_8_waiting_list.php
- ⁸ Los Angeles County Development Authority (n.d.). Waiting list FAQs. <http://wwwb.lacda.org/section-8/forsection-8-applicants/waiting-list-faqs>
- ⁹ See, e.g., Galtung, J. (1969). Violence, peace, and peace research, *Journal of Peace Research*, 6 (3), 167-191.
- ¹⁰ Los Angeles Homeless Services Authority (2018, December). Report and recommendations of the ad hoc committee on Black people experiencing homelessness. <https://www.lahsa.org/documents?id=2823-report-and-recommendations-of-the-ad-hoc-committee-on-black-peopleexperiencing-homelessness>
- ¹¹ Ray, L.-O. (2021, January 19). In sunny Los Angeles, more homeless people die from the cold than in SF and NYC, combined. L.A. Taco. In *Sunny Los Angeles, More Homeless People Die From the Cold Than in SF and NYC, Combined ~ L.A. TACO*
- ¹² Murphy, T., et. al. (2006, March 16). Hypothermia-related deaths --- United States, 1999--2002 and 2005. *MMWR Weekly*, 55(10), 282-284.
- ¹³ Holland, G. (2019, February 17). L.A. has great weather, yet more homeless die of the cold here than in New York. *Los Angeles Times*. L.A. has great weather, yet more homeless die of the cold here than in New York - *Los Angeles Times* (latimes.com)
- ¹⁴ Selbin, J., Campos-Bui, S., Feldstein, S., Fisher, M., & Miller, N. (June 11, 2016). California's new vagrancy laws: The growing enactment and enforcement of anti-homeless laws in the Golden State (2016 Update). (UC Berkeley Public Law Research Paper No. 2794386). Berkeley Law Policy Advocacy Clinic. <https://ssrn.com/abstract=2794386> or <http://dx.doi.org/10.2139/ssrn.2794386>
- ¹⁵ Black, H. C. (1951). *Black's law dictionary* 15 (4th ed). St. Paul, MN: West.
- ¹⁶ Beckett, K. & Herbert, S. (2010). Penal boundaries: banishment and the expansion of punishment. *Law & Social Inquiry*, 35(1), 1-38. http://users.soc.umn.edu/~uggen/Beckett_LSI_10.pdf
- ¹⁷ Los Angeles Homeless Services Authority (2020). 2020 Homeless count by community/city. <https://www.lahsa.org/data?id=45-2020-homeless-count-by-community-city>
- ¹⁸ Ibid. Los Angeles Homeless Services Authority (2020, December 7). 2020-2021 winter shelter program. <https://www.lahsa.org/documents?id=2626-2019-2020-lahsa-winter-shelter-program-list.pdf>
- ¹⁹ <https://www.lahsa.org/documents?id=2626-2019-2020-lahsa-winter-shelter-program-list.pdf>
- ²⁰ Newton, D. (2020, October 19). Kensington Campus opens in Lancaster providing temporary housing, permanent housing, and jobs for Antelope Valley's homeless. *StreetsblogLA*. <https://la.streetsblog.org/2020/10/19/kensingtoncampus-opens-in-lancaster-providing-temporary-housing-permanent-housing-and-jobs-for-antelope-valleyshomeless/>
- ²¹ Ibid.
- ²² Kandyba, S. (2019, June 16). Parris stands by homeless comment. *Antelope Valley Press*. https://www.avpress.com/news/parris-stands-by-homeless-comment/article_d55bd282-8ff9-11e9-94f8-4330a04973db.html?utm_medium=social&fbclid=IwAR34qpTsiLZPz6bDrpXw4xoK-1bRifQHnFPiTs_Vk3tAQ_NuG45iGFM7CCAac
- ²³ Ibid.
- ²⁴ Infractions are the lowest-level criminal charges under both state and local municipal codes, punishable by a fine. "Though the citations are criminal, there is no right to an attorney, and therefore little recourse for people who are targeted for enforcement...The result is hundreds of dollars in fines and fees people cannot afford to pay, and, in some counties, warrants and arrests for people who do not either pay or appear in court." Lawyers' Committee for Civil Rights of the S.F. Bay Area, "Cited in Plain Sight: How California Polices Being Black, Brown, and Unhoused in Public" (Sep. 2020), https://lccrsf.org/wp-content/uploads/LCCR_CA_Infraction_report_4WEB-1.pdf.

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- ²⁵ The California Department of Justice reports that in 2019 there were 1897.1 arrests per 100,000 population for misdemeanors in California. In 2019, the total unhoused population in Lancaster was 910, which indicates a rate of misdemeanor citation for camping of 5934 per 100,000 population ((54 arrests/910 total unhoused population)*100,000=5934 arrests per 100,000 population). For data on the homeless count in Lancaster, see Los Angeles Homeless Services Authority (2019). 2019 Homeless count by community/city. <https://www.lahsa.org/data?id=45-2020-homeless-count-by-community-city>. For data on misdemeanor arrest rates in California, see Becerra, X. (2019). Crime in California. California Department of Justice, p. 22. <https://data-openjustice.doj.ca.gov/sites/default/files/2020-06/Crime%20In%20CA%202019.pdf>.
- ²⁶ In 2002, Lancaster adopted Ordinance No. 809, which amended its municipal code to include an administrative citation scheme. Pursuant to Lancaster Municipal Code (“L.M.C.”) § 1.16, “[a]ny person violating any provision of [the] code may be issued an administrative citation by an enforcement officer.” Offenses that would ordinarily be classified as an infraction or misdemeanor may therefore be classified as administrative citations, at the sole discretion of the issuing officer. The penalty for the first administrative citation is \$500 and \$1000 for any subsequent citations. In 2015, in response to Proposition 47’s reclassification of six felonies to misdemeanors, Lancaster adopted Ordinance No. 1001 to counteract the change in law and implement an administrative program more punitive than the criminal court system.
- ²⁷ This analysis is based on public records received from the City of Lancaster.
- ²⁸ L.M.C. §§ 1.16.090, 9.48.070.
- ²⁹ L.M.C. § 1.16.090(EF).
- ³⁰ See municipal code at https://library.municode.com/ca/30_lancaster/codes/code_of_ordinances?nodetid=TIT9PUPEMOWE_CH9.12LO#:~:text=No%20person%20shall%20loiter%20so,building%20open%20to%20the%20public.
- ³¹ See, e.g., *Tobe v. City of Santa Ana*, 9 Cal. 4th 1069, 1100 (1995); *In re White*, 97 Cal. App. 3d 141, 148 (1979); *Saenz v. Roe*, 526 U.S. 489, 500 (1999).
- ³² See *Kennedy v. City of Ridgefield*, 439 F.3d 1055 (9th Cir. 2006).
- ³³ See, e.g., *Sanchez v. City of Fresno*, 914 F. Supp. 2d 1079, 1102 (E.D. Cal. 2012) (holding that defendants’ timed demolitions of a homeless shelter during the winter months deprived unhoused persons of their substantive due process under the state-created danger theory).
- ³⁴ See, e.g., *Ingraham v. Wright*, 430 U.S. 651, 667 (1977).
- ³⁵ See Lancaster Municipal Code § 9.34.010.
- ³⁶ *Martin v. City of Boise*, 902 F.3d 1031, 1035 (9th Cir. 2018).
- ³⁷ *Id.* at 617-18 (quoting *Jones v. City of Los Angeles*, 444 F.3d 1118, 1136-37 (9th Cir. 2006), vacated, 505 F.3d 1006 (9th Cir. 2007)).
- ³⁸ *Nunez by Nunez v. City of San Diego*, 114 F.3d 935 (9th Cir. 1997) (explaining the void-for-vagueness doctrine and holding that a curfew ordinance for loitering was unconstitutionally vague).
- ³⁹ *Lavan v. Los Angeles*, 693 F.3d 1022, 1024 (9th Cir. 2012).
- ⁴⁰ *Reed v. Town of Gilbert*, 575 U.S. 155 (2015); *United States v. Kokinda*, 497 U.S. 720 (1990); *Los Angeles All. For Survival v. City of Los Angeles*, 22 Cal. 4th 352 (2000).
- ⁴¹ Hernandez, M. (2019, September 5). Exclusive: Lancaster resident claims harassment from deputies during sniper hoax. ABC7 Los Angeles. <https://abc7.com/lancaster-resident-claims-harassment-from-deputies-during-sniper-hoax/5516550/?fbclid=IwAR2mUbx7DN1zH-aBLwrMNxnKlggco0IaX6YITgHI7MR8R6eZ04vhXpeC9YWM3>

