



**Tacoma
Housing
Authority**

Executive Director
Michael Mirra

Board of Commissioners
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September 8, 2019

By email:

By email: shons@tacomaparks.com

City Council Members
City of Tacoma
747 Market Street, 12th Floor
Tacoma, WA 98402

Board of Commissioners
MetroParks of Tacoma
4702 S. 19th Street
Tacoma, WA 98405-1175

Re: Proposed Revisions to TMC 8.27 re Structures in Parks and Homeless Encampments

Dear City Councilmembers and Park Board Commissioners:

The MetroParks Board of Commissioners will shortly consider, for possible recommendation to the City Council, changes to the part of the Tacoma Municipal Code governing uses in the city's parks. The proposed changes cover a range of uses. I write to convey THA's comment on only that proposal that would govern "structures in parks". See Proposed T.M.C. 8.27.210. I comment on it for its pertinence to persons who camp in the parks because they are experiencing homelessness and because of the effect that camping has on the parks, on other users of the parks, and on the businesses and neighborhoods surrounding the parks.

The proposal affects a range of interests and values. Some of them clash. THA knows that there will be differing views of the question. Yet each view can arise from the same honorable impulses – concern for the campers, a regard for the law, a respect for the parks and their unique value, the city's responsibility for their proper stewardship, a concern for the health of businesses and neighborhoods, and a love of city. The question has no easy answer. And it is now your responsibility to puzzle it out. I hope that THA's comments and suggestions in this letter help you do that.

In summary, THA favors the proposed change to T.M.C. 8.27.210, but with some important conditions derived from THA's understanding of the law. THA favors the proposal because it appears necessary to end the troublesome behavior associated with the encampments in the parks. THA in particular has struggled with the behavior in the encampment at People's Park across the street from our main building. However, THA conditions its support upon the assumption that the city will provide alternate places for people who are homeless to live, shelter, or camp. Toward this end the city is already dedicating a lot of resources and a lot of thought that is innovative, careful and caring. In this letter, THA also suggests some additional initiatives for the city to consider. In these ways, perhaps the narrow proposal about parks usage can spur those initiatives and the broader discussion of homelessness in Tacoma.

1. SOME INTERESTS AND VALUES TO CONSIDER

Homeless encampments in city parks affect various and important interests and values. Similarly, THA brings its own various interests and values to the question. Some of these values and interests clash. A reasonable solution will adequately account for all of them, and for their clash.

Here are four notable interests and values to consider in search of a reasonable solution:

1.1 Concern for the Campers

THA joins with MetroParks and the city in a deep concern for the campers and their welfare. THA feels this concern particularly. It has a social justice mission to house people who need housing. We do that with a focus on the neediest. THA is the city's largest source of housing dollars for that purpose. We house people whose low income would not be enough to rent a studio apartment in Tacoma. But for our assistance, many of them would be camping in People's Park or other places. Although we are not a direct source of emergency help, we are also a major funder of other organizations in Tacoma that provide emergency support and shelter.

Yet, as I explain in the next section, THA must also be concerned about the troublesome effects of the encampment in People's Park. We keenly feel the irony of being a social justice housing organization that is also the source of such complaints. Yet the irony does not resolve or diminish the range of our concerns, or their seriousness.

1.2 Troublesome Behavior of Campers in People's Park and the Effect on THA Staff, Clients and Visitors and on Neighboring Businesses and Residents

This summer and last summer, People's Park on the Hilltop has hosted sizeable encampments of persons experiencing homelessness. THA's main administrative office is across the street from People's Park. This proximity has given THA's staff, clients, and visitors, and our neighboring businesses and residents, a detailed experience that none of us can recommend.

THA's primary concern is not the presence of the campers. Everyone has to be somewhere. Instead, we object to the behavior we have experienced.

We also distinguish among the types of behavior. Even troublesome behavior is not necessarily misbehavior. Persons experiencing homelessness behave in ways that other people do. All persons defecate and urinate. Other people also have sex. Other people also lose their temper, and in conditions less trying than living in a tent. Other people also use illegal drugs or drink alcohol. Most people engaging in these behaviors, however, can do so in private. But persons who are homeless must do so in public view. We try to remember that.

Instead, THA is concerned about misbehavior that defeats efforts to control the harmful effects of these activities and of the encampments, or misbehavior that is

itself a serious problem.

Also, we acknowledge that only a minority of campers misbehave. THA cannot judge whether it is possible to tease out the troublemakers for enforcement. On that question, we defer to the greater expertise and experience of the excellent police officers who know who struggle as well with the encampments. But we know the police have tried, and the results are not encouraging. This invites some generalizations about the effects of the encampment itself. This allows us to conclude that restricting camping in the parks may be the only way to control the problems associated with it.

In emails and memos to the city and others of last summer and this summer, I described the experience of THA staff, clients and visitors with those misbehaviors and our efforts to address them. I attach a sampling of those communications. These experiences include the following:

- Verbal abuse, cat calling, or aggressive begging of people entering or leaving our building. As a result, staff, clients and visitors feel uneasy or unsafe. Our female staff, clients and visitors can feel this particularly. Staff have requested to adjust their working hours so they do not arrive early or leave late. We have hired private security guards for day and evening as a precaution. This is very expensive.
- We occasionally see fights and hear threats among the campers. Last week, one of these fights spilled across to our side of the street. One of the persons involved in the fight declared his intention to get a gun. We had no way to know if he was serious about his threat. As a precaution, we locked down our building, and locked all staff and guests inside, until we could judge the situation to be safe.

On September 5th, one person murdered another person with a knife in front of our building. It appears to have been the tragic result of a confrontation that began across the street in People's Park.

- THA staff have spent a lot of time cleaning up each morning – trash, feces, debris.
- THA is not budgeted for the extra security or staff time this has required of us.
- THA is also a member of the Hilltop neighborhood, which we cherish. We have a natural concern for the welfare of our neighboring businesses and residents. They experienced similar effects. This summer someone broke the glass doors on Centro Latino across 10th Street from our building. We notice that the child care provider on that same block no longer brings its children to People's Park.

- Last summer, in consultation with the campers, THA tried to accommodate them on THA property around our building. We made our building bathroom available to them. We asked MetroParks to install port-a-potties. We asked the apparent leaders of the campers to exercise a measure of self-governance. To give this a chance to work, we initially declined the request from our neighbors and the police that we sign a trespass authorization that would have allowed the police to remove campers from our property. The forbearance did not work.

Enough of the campers could not or would not use our building's bathroom or the port-a-potty without fouling them or damaging them. The police reported that bullies among the campers would take control of the port-a-potty to extort compliance of one sort or another from weaker people among the campers. The encampment grew in size, outgrowing our space. It also attracted a rougher group of residents that overmatched the leaders we had relied upon.

1.3 The Law of Gravity and the Constitution

Two types of laws bear on the issue of camping in the parks. The first is the law of gravity. It tells us that everyone has to be somewhere. And if a person does not have an indoor place, they will be out of doors.

The second law is the United States Constitution. Developing case law from some federal courts offers a constitutional version of the law of gravity. *See Martin v. City of Boise*, 902 F.3rd 1031 (9th Cir. 2018). THA does not presume to substitute for the excellent legal advice we know is available to MetroParks and the city. However, in order to offer our view of the proposed change to T.M.C. 8.27.210 we have to account for *Martin v. City of Boise* as best we can with our own understanding of its meaning. If our understanding of that case is incorrect, you should discount our view accordingly.

In *Martin v. City of Boise*, the court reviewed a challenge to two city ordinances prohibiting sleeping outside throughout the city. In its initial decision, the court ruled that the criminal enforcement of such ordinances against homeless persons with no access to alternative shelter constituted cruel and unusual punishment in violation of the 8th Amendment to the U.S. Constitution. The court then amended its decision. *Id.* at 920 F.3rd 584 (9th Cir. 2019)(amending decision and denying petition for rehearing by the full court).

The court's amended decision in *Martin v. City of Boise* has important nuances. And it seeks to interpret case law that itself is nuanced. The City of Boise has filed a petition seeking Supreme Court review. (August 22, 2019). THA does not offer any view about the merits of the decision or the likely outcome from the Supreme Court. Instead, we assume the 9th Circuit's decision as amended is valid case law with some binding authority for the City of Tacoma. For this reason, the decision must count as an important factor in considering the proposed amend-

ment to the park's ordinance. The decision imposes some important limitations on what a city can do. It also allows the city some important flexibilities.

The **first** flexibility seems less useful to the discussion. The decision precludes only criminal prosecutions. It does not preclude civil remedies:

We consider whether the Eighth Amendment's prohibition on cruel and unusual punishment bars a city from **prosecuting people criminally** for sleeping outside on public property when those people have no home or other shelter to go to. We conclude that it does. *Id.* at 603 (emphasis added).

This limitation may not be too meaningful. The non-criminal enforcement of rules can quickly acquire criminal consequences from related acts of non-compliance, such as trespass violations or interfering with police officers. Also, we should not regret the inability to criminalize homelessness. Doing that does not reduce homelessness. Instead, it makes hard lives harder. And it is expensive for everyone.

The **second** flexibility is more pertinent to the proposal to restrict camping in city parks. The court's preclusion of even criminal processes applies only when the criminal ordinance outlaws sleeping, sitting or lying in "**all**" public spaces, when no alternative is available. The court emphasized the "narrow" scope of its ruling:

Our holding is a narrow one. Like the *Jones* panel, "we in no way dictate to the City that it must provide sufficient shelter for the homeless, or allow anyone who wishes to sit, lie, or sleep on the streets ... at any time and at any place." *Id.* at 1138. We hold only that "so long as there is a greater number of homeless individuals in [a jurisdiction] than the number of available beds [in shelters]," the jurisdiction cannot prosecute homeless individuals for "involuntarily sitting, lying, and sleeping in public." *Id.* That is, 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. *Id.* at 617.

Judge Berzon is the author of the opinion. She also authored an opinion concurring in the denial of rehearing by the full Circuit Court. In that concurring opinion, she further emphasized the limited scope of the Court's ruling:

The City is quite right about the limited nature of the opinion. On the merits, the opinion holds only that municipal ordinances that criminalize sleeping, sitting, or lying in *all* public spaces, when *no* alternative sleeping space is available, violate the Eighth Amendment. *Martin*, 902 F.3d at 1035. Nothing in the opinion reaches

beyond criminalizing the biologically essential need to sleep when there is no available shelter. *Id.* at 589 (emphasis in original).

Judge Berzon also referred to initial decision and emphasized its limitations in ways pertinent to the proposal about tents in parks:

The opinion clearly states that it is not outlawing ordinances “barring the obstruction of public rights of way or the erection of certain structures,” such as tents, *id.* at 1048 n.8, and that the holding “in no way dictate[s] to the City that it must provide sufficient shelter for the homeless, or allow anyone who wishes to sit, lie, or sleep on the streets ... at any time and at any place,” *id.* at 1048 (quoting *Jones v. City of Los Angeles*, 444 F.3d 1118, 1138 (9th Cir. 2006)). *Id.* at 589.

This second flexibility appears to mean that the City may prohibit camping in parks in either of two instances:

- if alternative housing or shelter is available; or,
- the City does not outlaw camping in **all** public places.

This may allow a City to declare some places, like parks, off-limits to camping as long as it allows camping in other places.

This flexibility to distinguish among public spaces would allow the City to treat parks differently from other public spaces. Doing that serves the last value or interest in the discussion, which I describe in the next section.

1.4 Concern for the Parks and Their Unique Value

THA joins with MetroParks and the City in valuing city parks. We count parks, especially urban parks, as essential to community welfare. They are unique spaces. They are important especially for the people and families THA houses and serves. Because of low-incomes, these people and families rely on parks for their recreation and to provide them with relieving spaces that all people need in their lives, especially city residents. We think this is true especially for children. For this reason, we are sorry to notice that since the People’s Park encampments began in earnest last summer and again this summer, children have largely been absent.

We also note that persons who are experiencing homelessness can value parks for these same reasons. That fortifies the need to protect the parks for everyone.

2. THA’S CONDITIONAL SUPPORT FOR PROPOSED CHANGE TO T.M.C. 8.27.210, WITH SOME FUTHER SUGGESTIONS

THA’s recommendation comes in three parts:

2.1 Prohibit Tents in Parks

THA supports the proposed changes to T.M.C. 8.27.210 that would prohibit tent camping in city parks. THA’s support is conditional in ways the next section describes.

2.2 Provide Alternative Shelter or Camping Places

THA’s understanding of *Martin v. City of Boise* necessarily conditions its support for the proposal upon the city simultaneously making available adequate alternative housing, shelter or camping locations. Our understanding of that decision also means that the city has considerable flexibility on how to do that. The more alternatives that the city can show to be available, the stronger its case, as a matter of law and public policy, for the proposed restriction on camping.

We regard the types of alternatives in the following order of preference, effectiveness and cost effectiveness. All of them would seem to fit the flexibility available under *Martin v. City of Boise*. The city is already pursuing some of these strategies. For each one I mention some additional suggestions.

(1) *Permanent Supportive Housing and More Affordable Housing*

The city needs more permanent supportive housing and more affordable housing. The city has recognized this in authoritative ways. It is doing very good work toward this goal with its Affordable Housing Action Strategy. More of this housing is on the way. Partially with city financing, THA has its newest projects of both types under construction: Arlington Drive Campus for Homeless Youth and Young Adults; The Rise on 19th. with units set aside for households exiting homelessness and people with disabilities. We are planning permanent supportive housing as part of our new housing planned for the Hilltop. Other nonprofit partners are also building more. This new construction is valuable. Yet it will not be enough. Where more such housing will come from is beyond the scope of the ordinance changing the rules on park usage.

(2) *Indoor Shelter with Professional Management and Supportive Services*

Without adequate amounts of supportive or affordable housing, the City will need shelter space. The best type of shelter is indoors with professional management and supportive services to help people into stable housing. Tacoma is lucky to have talented organizations that do this hard work. The city supports that work in impressive ways. THA is also a funder.

Part of the challenge in providing this shelter and these services shows in two different and clashing narratives about their availability. One

narrative reports that shelter is not available to all because the shelter programs are always full or have onerous rules that unreasonably exclude people. The other narrative is that shelter space and drop-in day space are generally available, that the rules are reasonable and flexible, but that campers decline the offer for reasons that should disqualify them from consideration.

I expect that the actual picture is likely a combination of these two narratives. The two narratives suggest some strategies worth trying:

- Perhaps we need a better way for campers, police, and service providers to know in real time when and where spaces and services are available.
- Campers need some transportation help to get to the available shelter and services.
- Campers who decline an available offer would not trigger any city obligation under any understanding of *Martin v. City of Boise*.
- We also note that a person in the stress of homelessness is more likely to accept an offer of services if it comes from someone the person trusts. In these sorts of encounters, a relationship is important. This is not easy to achieve. It requires patience and real time acquaintance. In THA's experience, Tacoma police officers are impressive in this part of their hard work, in two ways: they show a detailed acquaintance with the campers at People's Park, starting with learning people's name; they treat people with impressive respect. That is the start of the type of relationship that can make an offer of services appealing to someone who probably has reasons to mistrust.

(3) *Tent Encampments with Professional Management and Services*

The city can also provide or allow permitted tent encampments in other locations, with professional management and services. It has an ordinance for this purpose. The city's Stability Site is a good and successful example. We know the city has been disappointed in its hopes to elicit the willingness of other landowners to be a temporary host for additional permitted encampments. I also know the city is reviewing its ordinance governing such encampments to make the rules more flexible and, therefore, more practical for other landowners. This will help. For example, the present rule restricts such permitted encampments to only one per sector until all sectors have at least one. We understand and support the need to disperse these uses. But the rule precluded THA's

offer last summer to use our parking lot as a permitted encampment. The site was not eligible because it was in the same sector as the Stability Site, even though they would have been miles apart. We encourage the city to continue this review.

(4) *Temporary Tiny Homes, with Professional Services and Structure*

The city can arrange temporary communities of tiny homes (from a few to several dozen) in congregate settings with communal portable toilets, communal portable showers, and professional management and services. The city is considering an offer of tiny homes from the Low Income Housing Institute (LIHI). About 10 tiny home villages are in use in the Puget Sound area. Here is a picture of one near Lake Union in Seattle:



I also attach a March 15, 2019 article about their use. It describes the advantages of tiny homes villages. These advantages include:

- they are more humane than tents;
- they make it easier to provide supportive services;
- people in them rather than tents are more apt to engage services;
- they show a higher rates of successful exits to permanent housing;
- they are less expensive than other forms of indoor shelter.

Another advantage is worth separate mention. If the city can supply tiny homes, it may be more successful than it has been in finding land owners, like churches, willing to host them for a limited period of time. Unlike tents, tiny homes are neither unsightly nor disorderly. A surrounding, movable fence can screen them further. And the homes are movable. When the time is up, the city can move them to the next location.

I expect that the tiny homes proposal requires a careful examination of many details beyond THA's knowledge or expertise. The proposal does seem worth serious consideration.

- (5) *Unstructured But Legal Camping Spots in Places Other than Parks*
If the city cannot provide the above alternatives, the principles of *Martin v. City of Boise*, while imposing some important restrictions, also seem to allow some important flexibilities for the city's options. As I note above, that ruling does not allow the city to prohibit camping from "all public spaces, when *no* alternative sleeping space is available". *Id.* at 589. This means what the ruling states expressly: the ruling does not give people a right to camp "at any time and at any place". *Id.* This seems to mean that the city may choose its spots for unstructured outdoor camping. And it can outlaw camping in prohibited spots.

THA recommends that, in the city's search for locations to allow unstructured camping, that the city remove city parks from the list of potential sites. Above I noted that parks have a special community value, especially for children. Instead, the city should use other types of property that may be available without the same clash of uses. Some possibilities include land we know is vacant and owned by the following: Tacoma Public Utilities; city; Port of Tacoma; school district.

In all these ways, the issue is hard. It requires you to find a reasonable balance of important and conflicting values and interests. We hope this letter helps you do that. If THA can help further, please call on us.

Thank you.

Cordially,

TACOMA HOUSING AUTHORITY



Michael Mirra
Executive Director

From: [Michael Mirra](#)
To: [Ramsdell, Don](#)
Cc: "[Stewart, Linda](#)"; [Pauli, Elizabeth](#); shons@tacomaparks.com; [April Black](#); [Ginger Peck](#); [Julie LaRocque](#); [Frankie Johnson](#); "[Keith Blocker - City of Tacoma \(keith.blocker@cityoftacoma.org\)](#)"; "[Gretchen Aguirre](#)"
Subject: Homeless Encampment on the Hilltop - Request from THA for help
Date: Sunday, August 11, 2019 5:54:33 PM
Attachments: [THA Memo to TPD re Homeless Encampments 2019-8-8.pdf](#)
[image002.png](#)

Dear Don:

Thank you for our brief chat last Tuesday after the City Council meeting. We discussed the homeless encampment at People's Park. I note that you were already well aware of the situation. I appreciate that very much. I explained my wish to visit with you to discuss it further, and to review with you what can be done. Please let me know when I can do that. I hope we can meet shortly.

When we meet, I will have four specific requests of TPS. I list them at the end of this email. I acknowledge that our City's extent of homelessness far exceeds the mission or capacity of the TPD to solve. I also know that your officers have a very hard job. I so appreciate how they try to enforce the rules and do so in a way that is imaginative and that is respectful to people who may have few choices and whose lives are hard enough. We are especially grateful for the efforts and partnership we have with Lieut. Gretchen Aguirre. I send her a copy of this email so she knows of our gratitude. Because the challenge does extend beyond what TPD can do, I also send a copy of this email to Linda Stewart and Elizabeth Pauli at the City and Shon Sylvia of MetroParks. I list below two suggestions for the City and MetroParks to consider. If you would like to invite them and others to our meeting, please do so.

When we meet, I would like to review what I know of the matter and to hear what you can share and suggest. To give us a head start on THA's contribution to that discussion I attach a memo from THA staff. It describes how the encampment is affecting THA, our staff, our clients and our other visitors. I wish to stress that the problem presently of most concern to us is not the presence of the campers. We appreciate that everyone has to be somewhere. Instead, we are concerned about the behavior of enough of the campers, and the behavior of others who seem to congregate around the encampment. This behavior and its effects include the following:

- physical fights among the campers

- selling of drugs, open drinking and apparent prostitution in the tents
- harassing THA staff and guests, including catcalls, name calling, threats, hustling or begging for cigarettes, cash and food; the catcalling and threats seem directed mainly against females; it is very upsetting and disruptive
 - following THA staff into our fenced parking lot and not leaving
 - accumulation of garbage and feces
 - urination against THA's building
 - prowling the cars in our parking lot checking for unlocked doors
 - Centro Latino next door found its front glass doors smashed
 - clients and other visitors, especially those with children, are uneasy about coming to our building
- People's Park is not serving families with children, and others, who are staying away.

This encampment resembles in some ways the encampment of last summer. Last summer THA tried to accommodate an encampment on our property along our buildings and our parking lot. We did that after consultation with campers, your officers, neighbors and others. We asked Metroparks to put in a port-o-potty and we allowed the use of our restrooms. It did not work for reasons that your officers had the foresight and experience to tell us to expect. The number of campers quickly outgrew the space we provided. The encampment then attracted a rougher and less disciplined crowd. The port-o-potty was regularly vandalized and had to be removed. For the same reason, we had to stop allowing people to use our restrooms. We also saw then the troublesome behavior we see now. As a result, last summer, at the request of your officers and surrounding neighbors, I signed the trespass papers authorizing TPD to remove campers from our property.

The encampment is back, and on a larger scale, with the same troublesome behavior, on a larger scale. (I also note that in the last two days the size of the encampment seems notably smaller. We do not know why.)

As a result of this behavior THA has responded in the following ways:

- THA has hired private security guards who must patrol the area. In the morning they ask campers to honor the no trespass order, sometimes to no effect. They remove campers from inside our building. They escort staff and others to and from their vehicles.

- THA has shortened working hours of staff who do not wish to walk to and from our building in the morning or evening or even be in the building without a lot of other staff present
- THA staff daily spend the time it takes to pick up a significant amount of trash and feces
- We report criminal behavior to the TPD when we see it.

I believe we have four requests of TPD, I list them below. I also list below two suggestions that might be useful to the City and MetroParks.

1. Presently, we get mixed messages when we call TPD to report criminal activity. On some occasions TPD officers has told THA and our security staff not to call. We would like TPD to respond to our calls reporting criminal behavior.
2. Last summer, TPD asked me to sign the trespass order authorizing you to remove campers from our property. We have called for enforcement of that order. Yet, on some occasions, TPD officers tell us that they cannot enforce the order. We would like you to enforce it.
3. We would like TPD to increase its visual presence at People's Park, for the deterrence and reassurance it would provide.
4. We would like the TPS HOT team to increase their focus on People's Park. We understand from the Tacoma Rescue Mission that it usually has space, at least for adults without children. Perhaps it would help to make this clearer to the campers and perhaps TRM or the City can provide them with transportation from People's Park to the shelter.
5. MetroParks may have some options worth considering:
 - install lights and cameras at the Park at night
 - strengthened the rules on behavior allowed or prohibited in parks in order to fortify TPD enforcement authority
6. I know that the City Council is considering changing the rules on

what sort of structures will be permissible in parks during the day. We look forward to learning more about that. The City may also wish to consider:

- establish more stabilization sites in the City
- reviewing whether there are ways to improve the availability of the nonprofit services in the City for campers.

We here at THA appreciate the irony that with my email to you the City's public housing authority seeks this help to address homelessness. THA is the City's largest source of housing dollars for the City's neediest residents. We house over 5,000 households many of whom would be homeless otherwise and perhaps living in People's Park. We also are one of the largest funders of the County's coordinated entry system. Yet we are not otherwise a source of emergency services. And we are not set up to enforce the law. For that we need this help.

I look forward to meeting with you and hearing your views and ideas.

Thank you!

Michael

Michael Mirra

Executive Director

Tacoma Housing Authority

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"Housing Tacoma Forward"



To: Michael Mirra
From: Ginger Peck, Julie LaRocque, Adam Ydstie and the Emergency Team
Date: August 8, 2019
Subject: Our Requests to Tacoma Police Department Related to Encampments

The current homeless encampments near and in People's Park are growing in size. Problems associated with this growth are escalating. We need support from the Tacoma Police Department as well as other community partners because we find ourselves unable to maintain a reasonably safe business environment for our clients, staff and guests.

We have been taking it upon ourselves and assisting some of our neighbors with mitigating some of the challenges that come with having encampments at People's Park and the surrounding blocks. Our costs to maintain a safe neighborhood around the Tacoma Housing Authority (THA) and People's Park is nearly six figures.

Here are the ways THA is working to maintain safety and cleanliness in our neighborhood:

- We have found it necessary to add day security at 902 South L St. to ensure the safety of staff, visitors, and physical property. Our security spends most of their time managing the challenges from campers. Here is what they do:
 - Remove camps from our property and doorways before business hours begin
 - Maintain visibility inside the lobby and exterior perimeters to stop issues early
 - Stop transients from coming in for restrooms and intervene when panhandlers are working staff and clients
 - Escort staff who have been targeted or feel as though their safety is threatened by campers
 - Remove transients from inside the building and lobby
 - Watch the vehicles, doors, and the alley around THA and Centro Latino during business hours.
- On a daily basis, our maintenance staff removes human waste, garbage and debris, as well as needles from our property.
- We continue to support the local housing and shelter services as we have for many years.
- We have shortened staff working hours in some cases to avoid staff being alone when leaving the building for the day.

Here are some examples of the recent challenges THA and its neighbors have faced:

- The volume of campers is large and continues to grow. At times, 4 or 5 blocks are lined with campers and about a third of People's Park is regularly filled with campers.

- Parking surrounding the park is taken up by campers' vehicles as well as RVs used by the campers.
- Multiple physical fights have occurred in People's Park, in the street and in front of THA's building.
- THA recently hosted an event at People's Park. Campers asked for food. We had to hire extra security to guard the rental furniture before and after the event.
- We consistently hear that others are not using the park because of the camps. Children who visit our office with their parents want to play in the park before they leave but parents won't let them due to the encampments.
- Obvious criminal activity happens in full view of staff, guests, and clients every day; assaults, selling of drugs, openly drinking in front of our business entrance, and prostitution.
- Harassing behaviors to staff and guests has increased. Examples include cursing and name calling at guests and staff from the park; threatening staff and watching for them to leave to continue harassing them; hustling on-duty staff, guests, and security for cigarettes, cash, and food in front of the office; following staff into fenced vehicle pen and not leaving.
- The daily amount of garbage and human waste is significant.
- Campers line the entrances of several nearby businesses including ours. Security attempts to remove camps and campers from the building property before 6:45am staff arrivals. Sometimes they do so in early hours.

Here are the ways we would like to request Tacoma Police Department's (TPD) assistance:

- TPD often doesn't respond to our 911 calls about threats to our staff, criminal behaviors, fights, campers who won't move, etc. We don't know whether or not to expect it or, even rely on it. This causes our staff concerns and fear. We would like TPD to communicate with us when they can't respond and why. We'd also like TPD to show up later and tell campers to move because of the reports of disruptive behaviors. We believe loitering, nuisance, and other laws could support this.
- Clarify protocols about handling campers. We get mixed messages from TPD about how to deal with campers and transients. Some officers tell our staff and security that we should always call 911 to remove campers. On several occasions though staff and security officers have called 911 to ask TPD to remove campers who were threatening or wouldn't leave. At least twice, TPD has told security not to call 911 for camper removals. Another time, TPD officers arrived and said they couldn't do anything even though trespass orders are posted and in place.

- Break up big camps as well as post a regular presence around bigger encampments to encourage movement and deter criminal activity.
- Enforce trespass violations in the no-trespass zones at People's Park and all around Hilltop. At minimum, issue a violation and make the trespassers move right away.
- Request that Metro Parks install cameras and bright night lights at People's Park.
- Join us in advocating for solutions at the city, parks, and state level to:
 - Prohibit camping in parks, public spaces, and sidewalks
 - Establish a second stabilization site in Sector 1 as well as advocate for additional indoor, overnight shelter beds
 - Fund additional supportive housing for homeless families and individuals.
 - Establish a model for behavioral health and addiction recovery designed for the recovery of chronically or situationally homeless people.
- What advice do you have for us? We welcome your feedback.

All of this work cannot be accomplished alone. Part of THA's vision and mission is to work toward a future where neighborhoods are attractive places to live, work, attend school, shop and play. We work on a daily basis to help our communities become safe, vibrant, prosperous, attractive and just. Part of TPD's mission is to create a safe and secure environment in which to live, work, and visit by working together with the community, enforcing the law in a fair and impartial manner, and preserving the peace and order in our neighborhoods. There is significant and important overlap in our combined work. We look forward to a continued and concerted effort in this very work and the reestablishment of the safety and enjoyment of the only large park for the Hilltop community, People's Park. Thank you for your help to achieve success in this work.

Tiny House Villages in Seattle: An Efficient Response to Our Homelessness Crisis

By **Sharon Lee** - March 15, 2019



Six tiny houses share a common deck in Lake Union Village. Photo courtesy of LIHI.

In 2017, I wrote [a piece for Shelterforce on Seattle's then-emerging effort to build tiny houses](#) to shelter homeless families, couples, and singles. Over the past three years, Seattle has led the country in piloting this response to the homelessness crisis. There are now 10 tiny house villages located throughout Seattle on government, private, nonprofit, and church-owned properties.

The villages are sponsored by the Low Income Housing Institute (LIHI), where I am executive director, and nine tiny house villages receive financial support from the City of Seattle.

We've come to see that [tiny house villages](#) are an effective crisis response to homelessness, and have proven to be a rapid, cost-effective response with better outcomes than traditional shelters.

Quick Set Up

Seattle's mayor and city council have been tasked with addressing the needs of unsheltered homeless people. Last January, the Seattle/King County [Point-In-Time Count](#) tallied 12,112 homeless men, women, and children, with over half of them living in unsheltered situations. The unsheltered population in the city of Seattle makes up 71 percent of the county total.

When Mayor Jenny Durkan took office in January 2018, she authorized the first tiny house village exclusively for homeless women. The Whittier Heights Village is located on property owned by Seattle public utility City Light and shelters single women, same-sex couples, seniors, pregnant women, and women with pets. The mayor also funded two additional villages: True Hope Village, which is church-sponsored and focuses on people of color including families with children; and Lake Union Village (LUV), for singles and couples, located on a city-owned parking lot. All three villages were planned, constructed, and opened in 2018, and together shelter 155 homeless people.

How did this happen so quickly? The mayor prioritized the need. She'd campaigned on the need for 1,000 tiny houses, and once in office, directed her staff in the Department of Finance and Administrative Services (FAS) to compile an inventory and identify vacant city-owned sites, including those owned by city utilities that could be prepared quickly for the villages.

A village requires anywhere from 6,000 to 30,000 square feet of vacant land, depending on the number of tiny houses and common facilities to be placed there. There are suitable urban infill sites zoned for residential and mixed use, as well as larger commercial and industrial sites. It takes careful research and help from local government to identify good sites, and we were quite surprised to find a large inventory of publicly owned underutilized and surplus sites held by the city, county, state and even the Port of Seattle. We also found multiple nonprofit, private, and church-owned properties that could be used. Nonprofit housing organizations own land that they hope to develop in the future, and these can be used on an interim basis, from two to four years, for a tiny house village.

Each village needed only four to six months' lead time to be constructed. Staff at FAS partnered with our organization, the Low Income Housing Institute, and coordinated with other city departments to bring in water, sewer, and electrical connections to the sites. There are 15 to 34 tiny houses at each

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An effective partnership between multiple departments in the city and LIHI was key in setting up the villages. Staff at LIHI worked closely with the city and our architects to plan each village. LIHI staff led the effort to raise funds to construct the tiny houses, reaching out to hundreds of donors and volunteers. We applied for permits, led work parties to build the houses, and developed the management and staffing plans. We undertook extensive community outreach to neighbors, businesses, and the public, working alongside city staff, including the Seattle Police Department and the Human Services Department, which funds LIHI for operations and services. While not everyone was supportive, they were all provided detailed information on the management plan and code of conduct, and were invited to submit their names to serve on a community advisory committee. Each village, staffed 24/7, has Village Organizers and dedicated case managers to assist people in obtaining long-term housing, employment and services.

A volunteer paint party at True Hope Village. Photo courtesy of LIHI.

Tiny House Villages vs. Other Options

Unlike developing and building a new emergency shelter—which could take many years for siting, permitting, and construction, plus millions of dollars in construction costs—creating a tiny house village can be done in less than six months and costs between \$100,000 and \$500,000. (A large variable is the cost of connections for water, sewer and electricity.) Each village can serve 20 to 70 people on an annual budget of \$60,000 to \$500,000, depending on staffing and services. We also partner with homeless resident organizations to operate six self-managed villages where residents are organized to manage day-to-day operations and employ democratic decision-making. This model reduces overall operating costs.

The Seattle Human Services Department has documented the village's cost effectiveness: "Spaces in tiny home villages represent approximately 12.5% of all shelter beds and safe places the City supports and make up less than 3% of all homelessness response investments made by the City of Seattle."

Among other local options to shelter homeless people, many are more expensive and take more time to set up than a tiny house village. The City of Bellevue's effort to identify a site for a new shelter for single men has taken six years because of community opposition. Financing, permitting and construction will take another two years, for a total of eight years before the shelter *might* open. King County just announced a plan to open and renovate an unused portion of the county's jail to shelter 100 people. It is budgeted to cost \$2 million to convert the space plus \$4 million to fund the next two years of operations. Concerns include not only the optics of putting homeless people in a jail facility, but the cost per person is more than double that of a tiny house village.

Compared with other options, tiny house villages have presented a quicker, more humane, and cost-effective solution.

What About Shelters or Tents?

According to Seattle Police Sgt. Eric Zerr of the city's Navigation Team, tiny houses are the preferred option for people who are removed from the street by law enforcement, as well as those living in RVs and cars. In situations of forced removal, people will gather their tents and belongings and relocate to

Due to the sheer number of homeless people and the city's inability to meet that need, Seattle's shelters are often full. Men and women are usually sheltered separately, meaning couples, teenaged sons, and pets are often turned away. Many homeless people who are camping on the street or under bridges will refuse to move into a shelter, but will agree to move into a tiny house.

"Tiny house villages play a crucial role in helping the City move unsheltered people from dangerous conditions on the streets and into a more safe and supportive environment... and on a path to stable housing," states the Seattle Human Services Department.

Living in a tiny house is much more comfortable and healthy than trying to survive in a sleeping bag or a cold, wet tent. Each tiny house is 8 by 12 feet, the size of a small bedroom, and is insulated and heated. A small family can live in a tiny house, and a large family can live in two tiny houses side by side. Each furnished house has a locking door, windows, electric light, electrical outlet, and smoke detector.

*A tiny house at True Hope Village.
Photo courtesy of LIHI.*

Hundreds of dedicated students, volunteers, churches, and businesses have built and donated over 325 tiny houses at an average cost of \$2,500 each for construction materials. Volunteers make the houses comfortable and home-like by adding flower boxes, porches, curtains, artwork, and furniture. The tiny house built by a local Girl Scout troop included a bed, comforter, dresser, rug, art, and even boxes of cookies. Last year at Seattle's CenturyLink Event Center, over 400 Vulcan employee volunteers, along with pre-apprentices and contractors led by Associated General Contractors of Washington, built 30 tiny houses in one day.

Tiny houses are changing people's lives for the better. People living in a tiny house can keep themselves, their family, and belongings safely indoors and not worry about frequent moves between shelters. Having a secure place to live day and night, with access to showers, laundry, and a kitchen enables homeless people to find work, maintain a job, attend school, improve their health, and access services.

The average length of stay in a tiny home village is four to five months, and there is no time limit. An important factor has been people's engagement with case managers in order to get "housing ready" with proper ID, Social Security cards, completed housing applications, and steadier income support or employment. A number of the villages are now requiring that residents agree to meet with the case manager, as this increases the likelihood that they will obtain permanent housing.

According to the King County Medical Examiner, 191 homeless men and women died in 2018 from exposure, chronic health conditions, violence, accidents, and suicide. The stability of tiny houses helps to alleviate these conditions.

Successful Outcomes

An important feature in the operation of the villages is the presence of dedicated case managers and social workers who link residents to services. The rate of successful housing placements in 2017 was 39 percent. LIHI worked closely with the Human Services department to bring more case management capacity to the villages in 2018, which is paying off.

During 2018, the villages served 879 homeless men, women, and children. Of the 491 who exited the villages, a total of 166 people, or 34 percent, were successful in obtaining permanent housing. If we

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Section 8 subsidies and help in moving to permanent housing), the percentage who obtained housing is 42 percent. In comparison, data provided by the Seattle Human Service Department (third quarter 2018) shows the rate of exits to permanent housing from city-funded shelters at only 4 percent, and enhanced around-the-clock shelters at 20 percent.

What We Have Learned

Tiny houses are a *bridge* to permanent housing. Our case managers have been very successful in finding subsidized housing, permanent supportive housing, and private housing for families and individuals who engage with them.

But what about those who refuse to cooperate or meet with our case managers? At the start of the program, a “low barrier” or housing-first approach was employed, where it was optional to meet with the case manager. Some people ended up living in a tiny house for over a year, refusing to obtain identification, get a Social Security card, or sign up for public assistance, Social Security, VA benefits, or TANF. The newer villages now require that people meet with a case manager to get on a path to secure housing.

Having people live long-term in a tiny house is not our goal, and so we quickly found out that it made sense to clearly define the target population for each village. In Seattle, we offer villages for women only, three for single adults and couples, five for a mix of families with children, and singles. Three villages are operated on a harm reduction, low-barrier model, and seven prohibit alcohol and drugs in or around the villages.

The Human Services Department completed an evaluation of the effectiveness of tiny house villages and said, “The City-permitted encampments have met and exceeded the contracted performance measure. The model is successfully serving people who have been living outside in greenbelts, on the streets, in cars and in hazardous situations.”

Our 11th village, Plum Street Village, opened in February 2019 in the city of Olympia on city-owned land. It will serve 40-45 people referred through Coordinated Entry. The Olympia City Council agreed to fund Plum Street Village and the City issued a challenge to local faith-based organizations to establish tiny houses on their property. Three churches and temples are participating, and will receive funding from the city. LIHI will help establish the three new villages and will provide case management support.

We believe that LIHI’s successful partnership with the City of Seattle to provide its homeless residents shelter in tiny houses can translate well to other municipalities that lack sufficient affordable housing and shelters. We invite homeless service providers, housing nonprofits and local government officials to come to Seattle and visit these villages.

Sharon Lee is the executive director of the Low Income Housing Institute. LIHI owns and manages over 2,200 units of affordable housing. For more information on Tiny House Villages visit: [LIHI.org](https://www.lihi.org) or www.seattle.gov/homelessness/city-permitted-villages

Sharon Lee

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