



“And Justice For Some”
A Documentary on Homelessness & The Justice System

My Road Leads Home

A Documentary Series
On Homelessness In Spokane

Interview Questions For Consideration

Note: These questions represent a “working list in progress.” We welcome your feedback and input.

Question 1: What do you see as the proper role of law enforcement and the justice system in addressing homelessness and related issues such as substance abuse, poverty, affordable housing, eviction reform, etc?

Question 2: What’s the benefit 1) to the individual and 2) to the community of citing, arresting, or incarcerating people for being homeless?

Question 3: What are the financial costs to the community and justice system (Jail costs, court costs, officer time, etc) for prosecuting homeless individuals cited for minor (non-felony) offenses?

Question 4: Is spending \$120 per night to incarcerate a non-violent homeless individual the best use of law enforcement dollars, and is jail an appropriate response to homelessness?

Question 5: What are your thoughts on how to reform, change, and improve what we’re currently doing?

Question 6: How has the advent of “Therapeutic Courts” (Community Court, Drug Court, Veterans Court etc.) changed how law enforcement and the justice system deal with people experiencing homelessness?

Question 7: What needs to change or be improved moving forward?

Question 8: The Courts are increasingly tying the legal ability of communities to enforce “Sit & Lie” and “No Camping” ordinances to the availability of “adequate shelter.” In the recent *Blake v. City of Grants Pass* [Case No. 1:18-cv-01823-CL (D. Or. Jul. 22, 2020)] a Federal Court ruled against the City of Grants Pass and its enforcement of “No Camping” ordinances, citing in part the discrepancy between their annual Point In Time count of individual’s experiencing homelessness versus the number of available and qualified emergency shelter beds. A similar discrepancy exists in Spokane as well. The City of Spokane’s annual Point-In-Time Count for 2020 recorded 1,559 individuals experiencing homelessness on our streets. But the City-wide shelter system only has 648 beds. In light of the *Blake v. Grants Pass* decision, how is it possible to enforce any Sit & Lie or No Camping ordinance when 58% of the known-and-counted cannot access a bed?

Question 9: There appears to be a growing discussion in favor of moving away from criminalizing homelessness (or enforcing laws which do so) in favor of offering services and creative community solutions. How can law enforcement and the justice system make a positive contribution to this community discussion?

Question 10: Recent court decisions (*Martin v. Boise*, *Blake v. Grants Pass*, *Vannucci v. County of Sonoma*) seem to show a trend toward recognizing the right of people experiencing homelessness to live in public spaces, noting 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 v. Boise*). What are your thoughts on this apparent trend?

Question 11: How should we as a community respond to people experiencing homelessness who refuse help, or who aren’t ready to receive it, for any variety of reasons?

Question 12: An outreach worker told me recently that people experiencing homelessness have the same rights as everyone else, but they don’t have more rights than anyone else. But there are questions about whether crimes against homeless persons (assaults, property crimes, destruction of personal property) are treated differently than the same crimes reported by others who are NOT homeless. For example, there are on-going reports that the City of Spokane continues to dispose of personal property of individuals when Code Enforcement and SPD officers clear out homeless encampments (a prohibited action under *Lavan v. City of Los Angeles*). How should the City, law enforcement, and the justice system address with this?