

August 31, 2020

Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

**RE: Request for Los Angeles County to Cease and Desist Lancaster Displacement
Actions During a Global Pandemic and Heatwave**

We write to express our immense concern over the Los Angeles County Department of Regional Planning's ("County") enforcement of zoning code violations against Lancaster's unhoused community during a global pandemic and massive heatwave. As we explain in further detail below, the County is directly violating the Centers for Disease Control and Prevention ("CDC") guidance for unhoused encampments during the pandemic and exposing itself to significant liability by endangering the lives of unhoused residents. We ask that the County cease all zoning code enforcement and related threats of criminal sanctions against unhoused residents. Instead, we urge the County to direct its significant resources to providing our vulnerable unhoused neighbors with the requisite resources for surviving a pandemic and life-endangering weather conditions, including providing housing, sanitation stations and potable water. Given the life-threatening nature of such enforcement activities, we ask that the County respond to our letter by September 4, 2020.

On or around July 30, 2020, the County placed the attached notice on the windows of RVs belonging to unhoused individuals on Avenue G in the high desert. The notice reads, as pertinent:

If you continue occupying the recreational vehicle and/or residing on the parcel, you and any persons who remain on the property will be in violation of the Los Angeles County Code and will be issued a Misdemeanor Criminal Citation ordering you into court for unpermitted land use. Additionally, you may receive further fines and noncompliance penalties While we truly do not wish you harm or wish to impose unnecessary hardships upon you, we must enforce the County Codes in order to protect the health, safety, and welfare of the residents of Los Angeles County.

The notice also tells the recipient that the area will be reinspected within 30 days.

The County asserts that it is engaging in zoning code enforcement to "protect the health, safety, and welfare of the residents of Los Angeles County" and "Preserve the Beauty of the Antelope Valley." However, its enforcement of petty code violations during a global pandemic and potentially deadly heatwave directly contradicts CDC guidance and endangers the lives of people living in RVs. The CDC has been explicit: municipalities should cease all sweeps and clearing of unhoused encampments during the pandemic, unless individual housing options, such

as those provided by Project Roomkey, are made available. As the CDC has aptly explained, “[c]learing encampments can cause people to disperse throughout the community and break connections with service providers, [which] increases the potential for infectious disease spread.”¹

Instead of clearing encampments, the CDC advises municipalities to prioritize providing individual rooms, when available, and ensure that unhoused persons are provided adequate access to hygiene materials and facilities when individual rooms are not available. However, the County has not ensured that unhoused residents in the high desert in Lancaster have been offered individual housing options or afforded necessary hygiene materials, utilizing its resources to enforce zoning code violations instead.

Furthermore, the County has not offered viable relocation options to the people it seeks to displace. The County’s notice provides phone numbers for the Los Angeles Homeless Service Authority (“LAHSA”) and family and youth shelters. However, the LAHSA number was invalid and there are no family or youth shelters in the Antelope Valley. The only possible option for persons living in RVs, which was not suggested in the County’s notice, is to relocate to temporary congregate shelter. Even if unhoused persons living in RVs were able to secure a temporary spot in one of the two shelters in the Antelope Valley, congregate shelters can be incredibly unsafe environments in normal circumstances but are especially unsafe during the coronavirus pandemic. Congregate shelters do not afford residents the ability to socially distance, as they require shared living accommodations. In direct contrast, RVs afford the ability to socially distance and are therefore far safer options during the pandemic. Moreover, as Supervisor Kuehl recognized in her motion to establish a Safe RV Pilot Program in April 2020, vehicles can provide “a safe environment [for people] to rest, access resources, and work towards stabilization.”²

It also bears mention that threatening criminal sanctions and fines against unhoused persons for petty zoning code violations conflicts with the County’s purported “Care First, Jail Last” policy. It also does not assist in the actual enforcement of laws and codes. The criminalization of homelessness and the related levying of fines and fees that people who are unhoused cannot afford serves only to saddle people with barriers, such as criminal records and debt, that prevent them from obtaining permanent housing.

Lancaster and the surrounding neighborhoods in the Antelope Valley have a significant unhoused community, which is comprised mostly of Black and Brown persons. The County’s actions threaten to push these residents further and further out into the high desert, across the border of Los Angeles County and into Kern County. Unfortunately, the current County action is not an isolated incident. Over the last year, we have received accounts of similar sweeps from people living in RVs and tents in the surrounding area. They have told us that law enforcement officers sometimes advise them to move outside of city and county limits, deeper into the Mojave Desert, to avoid being

¹ *Interim Guidance on Unsheltered Homelessness and Coronavirus Disease 2019 (COVID-19) for Homeless Service Providers and Local Officials*, Centers for Disease Control and Prevention, <https://www.cdc.gov/coronavirus/2019-ncov/community/homeless-shelters/unsheltered-homelessness.html>.

² Motion by Supervisor Sheila Kuehl: Creating A Safe RV Pilot Program, http://file.lacounty.gov/SDSInter/bos/supdocs/145395.pdf#search=%22safe%20parking%22_

cited. These practices have the effect of distancing unhoused residents from critical resources, limiting their access to medical facilities, grocery stores, and service providers.

These practices are extraordinarily dangerous considering the Antelope Valley's climate right now, which features sweltering heat that can exceed 110 degrees. One person who received the county order to move told us that his RV currently does not start. He must walk through the desert under extreme weather conditions for two hours to get to the nearest convenience store for necessities, such as food and water, and worries about moving even farther away with an RV that does not work well. He also worries about his neighbors who have received the notice to move, some of whom are older adults.

Because enforcing code violations in a global pandemic and heatwave jeopardizes the health, safety, and welfare of our unhoused neighbors living in RVs and exposes the County to significant liability, we ask that the County adhere to CDC guidelines and cease all zoning enforcement activities. In lieu of those enforcement actions, we ask that the County commit to providing unhoused residents in the high desert with housing and linkages to appropriate services—the only true solution to the County's burgeoning homelessness crisis. In the interim, we urge the County to provide people with critical hygiene and life-sustaining materials, such as sanitation stations and drinking water. We sincerely hope the County will utilize its significant resources to assist our vulnerable unhoused neighbors, as opposed to engaging in enforcement that endanger their lives. If you have any questions or concerns, please contact Tiffany Bailey at Tbailey@aclusocal.org or (213) 977-5202.

Sincerely,



Tiffany Bailey
Liman Fellow/Attorney, ACLU of Southern California



Eve Garrow
Policy Analyst and Advocate, ACLU of Southern California

Antelope Valley Chapter, ACLU of Southern California

CC: Supervisor Kathryn Barger



Los Angeles County Department of Regional Planning



ASSISTANCE WITH FINDING SHELTER AND OTHER RESOURCES
TO IMPROVE YOUR LIVING CONDITIONS ARE AVAILABLE.

RESOURCES

- The Los Angeles Homeless Services Authority
 - Call (800) 548-6407 or visit <https://www.lahsa.org/get-help>
- Families w/Children in Need of Shelter/Youth in Need of Shelter
 - Call 211 or visit www.211la.org

WARNING OF LOS ANGELES COUNTY CODE VIOLATION

WHAT: Travel Trailer, Recreation Vehicle, Fifth Wheel or other vehicles used for permanent or temporary residence in an Industrial Zone and use of a vacant parcel without approval.

VIOLATION: Violation of Los Angeles County Zoning Code Sections: 22.22.010; 22.22.020; 22.22.030

- *If you continue occupying the recreational vehicle and/or residing on the parcel, you and any persons who remain on the property will be in violation of the Los Angeles County Code and will be issued a Misdemeanor Criminal Citation ordering you into court for unpermitted land use. Additionally, you may receive further fines and noncompliance penalties.*
- This location will be reinspected after 30 days from the 7/30/2020

While we truly do not wish you harm or wish to impose unnecessary hardships upon you, we must enforce the County Codes in order to protect the health, safety, and welfare of the residents of Los Angeles County



Please Help Preserve the Beauty of the Antelope Valley