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## California fight over homeless camp faces key day in court



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Amy Taxin; February 13, 2018

SANTA ANA, Calif. (AP) — Southern California officials and homeless advocates have sparred for months over the fate of hundreds of homeless people living in tents on a bike trail that winds along a riverbed to the Pacific Ocean.

Now, both sides are facing a critical court hearing Tuesday over a lawsuit aimed at blocking Orange County from shutting down the 2-mile-long (3-kilometer-long) encampment.

Homeless residents and their advocates have argued that officials can't shut down the camp without providing adequate housing options — especially because many wound up living there after police in nearby cities booted them from streets and sidewalks.

"We could solve the problem — we have the land and we have the money," said Brooke Weitzman, an attorney for the plaintiffs. "It is not a place where we have a bunch of homeless people and we really have no alternatives for them."

The lawsuit is being watched by homeless advocates in West Coast cities and elsewhere amid a rise in homelessness and growth of encampments. Tens of thousands of people are sleeping on the streets from Seattle to San Diego, a problem caused in part by soaring housing costs, rock-bottom vacancy rates and a roaring economy.

**"These are issues that are being litigated around the country," said Maria Foscarnis, executive director of the National Law Center on Homelessness & Poverty. "What the court decides may be used by these litigants and may be looked to by other courts, even if it is not binding."**

Orange County, which is home to 3.2 million people between Los Angeles and San Diego, told homeless campers in late January that they would need to start moving. Deputies patrolled the area near the Los Angeles Angels stadium to tell people about the move and offer help storing belongings and finding other shelter.

When homeless advocates heard the county was going to step up efforts to relocate tent-dwellers, they sought protection from the courts. U.S. District Judge David O. Carter temporarily blocked officials from arresting those who refused to move — at least until after the hearing in federal court in Santa Ana.

Deputies still patrol the trail for criminal activity but are no longer encouraging people to leave, said Carrie Braun, a spokeswoman for the Orange County Sheriff's Department. Since relocation efforts began, about 30 percent of tents have been moved, she said.

Officials said the trail is in paltry condition. Workers collected more than 400 pounds (181 kilograms) of human waste and more than 2,200 syringes in a two-week period, according to court filings by county attorneys.

They said a nearby shelter has never reached full capacity and that the homeless were given notice that the trail would be closed for cleanup.

"The Constitution does not recognize, nor have plaintiffs provided any authority for, the right of a person to adversely possess public property merely by setting down their belongings," Marianne Van Riper, senior assistant county counsel, wrote in court documents.

The county faced another lawsuit filed last week alleging that closing the encampment violates the rights of disabled people living there.