

Local NewsNorthwest

## **Portland allows homeless to camp overnight on streets; Seattle officials watch**

*The Seattle Times, By Hal Bernton, originally published May 9, 2016 at 10:51 am, updated May 9, 2016 at 11:17 am.*

***Portland Mayor Charlie Hales has stirred controversy by laying out rules allowing homeless people to camp undisturbed on sidewalks and some vacant city property during overnight hours.***

PORTLAND — On a narrow strip of land between the sidewalk and the street, Becky Niemi draped her tarp over two shopping carts. Then, she spread out a purple quilt and settled in for the night.

Her snug spot offered protection from sporadic spring showers, and so long as she vacated by 7 a.m., a “safe sleep policy” for the homeless is supposed to keep her from getting harassed by police.

“Before, they would threaten to throw you in jail if you had this up,” said Niemi, who has spent 12 years on the streets.

Portland Mayor Charlie Hales rolled out the new rules in February as a six-month experiment that explicitly authorizes — from 9 p.m. to 7 a.m. — sleeping bags on the sidewalks and tents or other temporary structures on rights of way and some other city spaces.

Among West Coast cities grappling with homelessness, Hales’ policy represents a controversial move to establish a kind of rules of the road for the homeless who end up outside of organized camps and shelters.

The mayor has linked this initiative to other efforts that include police sweeps of large, illegal camps where the rules are not followed, and a push to establish more authorized tent encampments or tiny houses for temporary shelter.

“Most of our homeless population are simply looking for a safe night’s sleep, and have suffered needless trauma that comes with uncertainty about where that safe night’s sleep can be,” said a statement released by the city to explain the policy.

Hales’ approach is drawing attention from city officials in Seattle, where an ordinance — similar to one now suspended in Portland — prohibits overnight stays in public, even though it is only selectively enforced.

“We are following it closely,” Scott Lindsay, a special assistant to Seattle Mayor Ed Murray, said of Portland’s experiment. “It’s very new, and I wouldn’t want to judge it at this point. Each city is facing very similar issues and experiments in different ways to try and manage the challenge posed by a very large number of unsheltered people.”

In Portland, some have already turned thumbs down on the policy.

In April, a half-dozen business and neighborhood groups filed a lawsuit against the city over the mayor’s policy that allows overnight camping on sidewalks and seeks to expand the number of permitted camps.

The plaintiffs say Hales overstepped his authority when he crafted the rules without City Council approval and violated a state statute that restricts a city’s ability to designate temporary campgrounds.

“We’re not solving anything,” said Paul Conable, a Portland attorney who represents the plaintiffs. “I don’t think there is any reason to have any confidence that putting people on the sidewalk is actually making anyone safer or healthier.”

Homeless advocates welcome the acknowledgment that there should be a way for those without shelter to sleep without fear of being rousted by police. But it's not easy for people to pack up their belongings in the morning and stay on the move.

"It doesn't create the type of stability that allows them to rebuild their lives," said Yuri Rudensky at Columbia Legal Services in Seattle.

## **Displaced locals**

Both Portland and Seattle declared homeless emergencies last fall.

Portland officials say that — as in Seattle — most of those without shelter are not destitute people drawn to the Northwest from elsewhere. They are largely local residents, some recently forced from their homes as rents escalate, others who have been homeless for years.

Niemi, 52, is a logger's daughter from the coastal town of Tillamook. She said she once had a tattoo business, but it went bust and now she spends her days searching for cans to recycle for pocket money.

"I try to do about \$20 a day. If I can make coffee money and cigarettes, I'm happy," Niemi said.

As development has intensified, the homeless have increasingly moved from downtown to other parts of the city. Their camps proliferate along sidewalks, in parks and on patches of secluded land near residential neighborhoods.

That has tensions on the rise, and businesses are concerned that the mayor's safe-sleep policy will encourage a larger-than-usual summer surge in the transient population.

A spate of fires has hit homeless camps since January, along with a few high-profile crimes. A homeless man was shot in March by another camper as he slept in a tent pitched a few blocks from an elementary school.

Several of the homeless people interviewed for this story also worried about rogue individuals from the sheltered side of the world who they say have thrown rocks and kicked in tents.

"The environment is red hot. The noise is loud and just getting louder," said Israel Bayer, executive director of Street Roots, a Portland-based publication that covers homeless issues.

## **Tent-city approach**

Portland officials are trying to move people off the street by opening authorized camps that have rules of conduct and support services.

Seattle has three such camps on city land. Portland officials are working to establish at least "a handful" of the camps, said Hale's chief of staff, Josh Alpert.

But the idea is controversial, as the story of a camp in the Overlook neighborhood of north Portland shows. The cluster of tents and other dwellings called Hazelnut Grove sprouted on public land at the base of a steep cliff.

City officials are now preparing to issue a six-month permit to the camp.

But members of the Overlook Neighborhood Association board say the camp is at risk of winter floods and summer fires, and should be moved elsewhere.

"This is just a bad site," said Chris Trejbal, a board member of the neighborhood association, which last month voted to join the litigation against the city's new homeless policy.

Hazelnut camp leaders are hoping to settle in for a longer term. They have planted fruit trees, raised money to help improve drainage and even invested in solar power. Among the 30 people who live there, some now head off to work each day in construction, food service and other industries.

### **Enforcement friction**

For the foreseeable future, the vast majority of Portland's camping homeless will dwell outside organized camps.

Under Hales' policy they are supposed to stay out of parks and to sleep on sidewalks or rights of way for no more than a 10-hour period that ends at 7 a.m. each day.

But these rules are routinely violated.

In the Overlook neighborhood, for example, a cluster of tents has been pitched all day on vacant land beneath several homes, and residents say their repeated calls to police failed to bring any response.

"The city approach is so scattershot," said Trejbal. "We have no confidence that the mayor's office knows what it's doing."

Bob Day, an assistant chief at the Portland Police Bureau, acknowledges that compliance is a challenge.

"Resources are limited. We don't have the capacity to make sure every tent comes down at the proper time," Day said.

In Portland, as in Seattle, the main enforcement targets are large, illegal camps drawing complaints about unsanitary conditions, drug use and crime. In both cities, officials spread advance word that they intend to clean out an area, and attempts are made to link the homeless with social services.

So far this year, Seattle has conducted 181 camp cleanups, said Lindsay, the special assistant to Murray. In Portland, since early January, there have been 35 cleanups of illegal camps.

One big sweep occurred in early May along the Springwater Corridor, a 21.5-mile park greenway used by bikers and joggers that — despite the continued ban on park camping — had scattered enclaves of tents that sheltered more than 400 people.

In late April, the area was posted with notices that warned of an upcoming sweep to take down the tents and other structures and remove any leftover property. Among the soon-to-be-evicted campers, there was a mix of resignation and anger as they contemplated another move.

A campsite occupied by Constance Gardipe and her husband, Matthew, had a barbecue, folding chairs, a cooler, shopping carts and other gear to help them survive outside. They planned to move to a more secluded area.

"We want respect. We're not trying to cause trouble," said Constance Gardipe. "You wouldn't pick up your home. Why do we have to pick up ours and leave? It's not right."

*Hal Bernton: 206-464-2581 or [hbernton@seattletimes.com](mailto:hbernton@seattletimes.com)*