

Craig, Sondra

From: Kevin Hundt <kevinhundt0@gmail.com>
Sent: Friday, June 9, 2023 2:13 PM
To: ZZ City Clerk External; Reynolds, Mitch; Dickinson, Tamra; Goggin, Erin; Hameister, Jenasea; Janssen, Barb; Kiel, Mac; Kahlow, Chris; Happel, Douglas; Mindel, Mackenzie; Neumann, Mark; Schwarz, Rebecca; Sleznikow, Larry; Trost, Jennifer
Subject: Follow-up to discussion about 23-0673

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-Concerns about behavior by individuals are not relevant to the question of where people who have nowhere to go are supposed to go. As Mr. Szymalak stated in his letter more eloquently than I did in mine, the city almost certainly has a legal and Constitutional obligation to allow unhoused individuals to camp on public property when there is no shelter space, as is currently the case. The first thing that should be done in this 30 day referral period is to designate an emergency camping location. The word "emergency" seems bitterly ironic considering how long this emergency has been going on and how long it will continue, but that's what it is.

-Yes, issuing a citation is criminalization. Definitionally. If a police officer gives someone a citation with a fine then they are using the criminal justice system to force compliance. If a person is unable to pay a fine then they are subjected to further penalties, possibly including warrants and imprisonment. If there's an objection to the word "criminalization" then I'm open to the possibility of an alternate word.

-In response to Council Member Mindel's question, Chief Kudron didn't explicitly say whether or not the police arrest or otherwise use force to move unhoused people. The substance of what he said was, and I'm taking this directly from the video of his testimony on the 8th (which is viewable here at 22:30 https://cityoflacrosse.granicus.com/player/clip/1248?view_id=1&meta_id=224707&redirect=true&h=817be691765f6cd70bc74d1942692732):

- 1) The police want voluntary compliance
- 2) The police are going to ask first for them to find a different place
- 3) If the police are "met with resistance or simply an unwillingness to comply with that there may be a citation issued", items such as "tents or other materials" may be "removed from the park" and police "have very broad discretion"

Unhoused individuals have reported police using force, including intimidation, to compel them to remove from a camping site. They are generally reluctant to say this in person or put it in writing because they're afraid of being targeted for retaliation. As Chief Kudron said, "most of our staff, as Council President Kahlow mentioned, know many of these individuals on a first name basis" (18:12 - 18:20). That may have been meant to sound reassuring, but to homeless people that is terrifying.

The police are not social workers. The police department should not be our primary unhoused outreach program. When a resident has a complaint about a homeless person, the police should not be the only people who respond and should not be the primary way the city deals with conflicts involving them. If a citation or force are necessary, sure, but that's going to be a small minority of cases. It shouldn't be too much to ask for the police to at least contact an actual outreach agency to see if they can send an actual social worker when there's a complaint involving an unhoused person.

The main problem with 23-0673 and the mentality behind it is that it increases the level of discretion- not direction, discretion- that police have when interacting with the unhoused population, and it further reinforces the idea that police

are the appropriate agency for resolving issues involving unhoused individuals. It also places this social and political governance problem- what to do about the emergency survival needs of unhoused individuals- in the hands of the police and parks departments, which are completely inappropriate for this decision. The City Council and Mayor need to work with unhoused outreach agencies, experts, and the unhoused community to make these decisions- not the police and Parks.

It sounds like a possible consensus is to reopen Houska for now and urge unhoused people to go back there, so that the city is fulfilling its basic obligation to allow unhoused individuals to have at least some place they can legally exist. That's something that can and should be done immediately. Meaning yet this afternoon.

Kevin Hundt, La Crosse