

Criminalizing the Unsheltered is Not the Solution to Oakland's Housing Crisis

By Anita De Asis Miralle aka Needa Bee

In this crisis of homelessness we face, there are many fronts to fight. Not just to alleviate the lack of access to the basic human right of housing, but to eradicate the very existence of homelessness from our society.

One front is the legal and policy battles we need to engage in to stop making homelessness a crime. And rather than question the people fallen victim to a society that allows homelessness to exist, we should be questioning the criminal nature of such a society. And change bad laws that uphold that society.

One such way we go about doing this is getting rid of anti-homeless laws that criminalize people who are surviving in a system designed for a few to succeed while the many suffer.

Right before the Holidays, I was one of thirteen evicted from a clean and sober family centered encampment we'd built on the corner of Edes and South Elmhurst avenues. Our families asserted our right to a safe, warm, place to sleep - where we were not harassed by the police and predators.

The City accused us of being illegal, uninhabitable, and a threat to the community. And though we did not get charged with anything, everything we did for ourselves is a crime by law. So when neighbors who saw us as criminals called The City and complained, there was legal reasoning to slap us with an eviction. The destruction of our intentional community was unnecessary and inhumane. It didn't have to be this way.

We were a group of unsheltered women and allies who worked hard to turn an illegal dumping site into a clean, sober and women-led encampment where we could safely sleep, eat and provide some stability for our children. We named the encampment the Housing and Dignity Village. We provided meals, medical services, free winter clothing, and a community garden to anyone in the neighborhood. We were supported by residents in the neighborhood, the East Oakland Collective, the Village, the Ron Dellums Institute for Social Justice, the Ella Baker Center, Omni Commons, and other advocates and allies asserting the human rights of curbside communities.

City officials could have worked with us to find a safe, orderly way to relocate our community. Instead they chose to forcibly remove us using more than 3 dozen Oakland police officers and 1 dozen Department of Public Works. They would not give us time to pack. They did not care that other residents - including children - were at work or school and would be coming back home to this surprise attack. While I scrambled to get my belongings and my co-residents' belongings as best I could - I watched as The Mayor had City workers destroy most of our belongings, and throw our broken properties onto a flatbed. I watched as The Mayor had them use trash compactors and annihilated our shelters, kitchen, pantry, and platforms for homes yet to be built.

All the while the large police presence kept protestors away or loomed through out the land as a show of power. I had to wonder how much money the city was wasting on this effort. They put a band-aid on a wound that continues to gush blood, all for the sake of "law" and "order", power and pettiness.

Modern anti-homeless laws are the cousins of Jim Crow laws, created to control and punish the people who exist on the edge of society. These ordinances include "sitting or lying in the streets," "obstructing pedestrians," "sleeping on benches." They are specifically designed to target anyone who has no option but to live outside. They are ineffective, costly, inhumane, and -- according to a recent Ninth Circuit Court of Appeals ruling -- unconstitutional to enforce if the city does not provide adequate shelter.

Unless the city shifts its focus toward long-term solutions and away from criminalization, Oaklanders like me will continued to be punished for trying to survive when there are no other viable options available. And if you wonder about how limited my choices are, let me paint you a picture:

On any given night in Oakland there are more than two thousand (Alameda County 2017 point in count), six thousand (Feed The People 2016 intake data), or nine thousand (Alameda County Health Care For The Homeless 2015 report) people in need of shelter. But only 350 emergency shelter beds available. For women like me there are even fewer options. Many of the places that provide beds do not accept children, pets, families and will not allow occupants to leave at night even if you work a graveyard shift.

Gordon Walker, director of Utah's Division of Community and Housing estimated that criminalizing Utah's unsheltered cost about \$20,000 per person in state services, jail time and police costs. By adopting the Housing First program, where the priority is to place people in permanent housing instead of locking them up or sweeping them away, Utah saved millions and dramatically improved the number of unsheltered people in the state.

But it will take years for Oakland to shift away from its current money-driven development. City officials can start heading in the right direction right now by repealing the city's "anti-homeless" laws while building permanent housing.

Anita De Asis Miralle aka Needa Bee is a longtime educator, organizer, activist, creative force and entrepreneur in Oakland, Ca. She can't help but connect the dots between issues and build coalition. She believes in service rather than charity, self-determination rather than dependency, and chopping from the top to empower the bottom. She like thousands of other hard working Oakland's cannot find housing in the Bay Area that she can afford or qualify for. She is currently homeless, fighting alongside others for a Oakland systematically being erased thru economic and cultural genocide. She is the co-founder of Feed The People & The Village; the owner of Oakland's Original Lumia Lady & The Lumpia Shack; and Program Director of Meiklejohn Civil Liberties Institute.