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[LOGO]

PACIFIC PALISADES COMMUNITY COUNCIL

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September 16, 2019

Michelle Bisnoff, Chair, Brentwood Community Council (via email: info@brentwoodcommunitycouncil.org)

Re: PPCC Support for Brentwood Community Council (BCC) Amicus Brief in *City of Boise v. Martin, et al.* (Petition for Writ of Certiorari in the Supreme Court of the United States)

Dear Ms. Bisnoff:

Pacific Palisades Community Council (PPCC) has been the most broad-based organization and voice of the Palisades community since 1973. As you know, Pacific Palisades is a community of about 25,000 bordered by the Pacific Ocean and the Santa Monica Mountains and located to the west of the community of Brentwood within the City of Los Angeles. Brentwood and Pacific Palisades are in effect sister communities which share many of the same concerns and goals.

The PPCC Executive Committee has reviewed the Amicus Brief to be filed by BCC (Amicus Brief) as well as the Petition for Writ of Certiorari filed by the City of Boise in the above referenced case (Petition). On behalf of PPCC, the Executive Committee expresses

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PPCC's strong support for the Amicus Brief.¹ Specifically, we agree with the argument that review by the Supreme Court of the United States is necessary to provide clarity in light of apparent conflicts with United States Supreme Court precedent and federal appellate and state supreme court opinions, as noted in the 6-judge dissent to the opinion of the Ninth Circuit in the underlying case (*Martin v. City of Boise* (9th Cir.), ___ 3rd WL 143404, April 1, 2019).

It is a matter of public record that a severe homelessness crisis exists in Los Angeles, with burgeoning overnight camping and sleeping on sidewalks and other public property throughout the City and attendant trash, drugs, vermin and disease. We are familiar with the deplorable conditions in Brentwood and elsewhere as described in the Amicus Brief and the Petition – conditions that have been the subject of national attention and clearly present major public health and safety challenges. As noted by BCC, regulation of such activity may be an effective tool to encourage service-resistant homeless individuals to accept services and housing (which Los Angeles is seriously addressing through voter-approved measures to facilitate construction of supportive housing).

The Palisades community has also been severely impacted by homelessness. Homeless individuals sleep on our sidewalks and camp in our ocean bluffs and park areas in the midst of residential neighborhoods (all of which are designated High Fire Hazard Severity

¹ Acting pursuant to PPCC's Bylaws, Art. V, Sec. 3(B).

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Zones), resulting in dangerous fire conditions and other threats to public health and safety. While our respected local volunteer organization – the Pacific Palisades Task Force on Homelessness – has had some success, due to our unique conditions, in reducing hazardous encampments, we remain concerned with ongoing impacts on public health and safety should there be a future determination that our bluffs and park areas (public property) are not subject to regulation of overnight camping under the Ninth Circuit decision in *Martin v. City of Boise, supra*. For all of these reasons, PPCC supports the BCC Amicus Brief and respectfully urges review by the United States Supreme Court of the underlying Ninth Circuit decision.

Sincerely,

/s/ Christina Spitz

Christina Spitz, Secretary, for George Wolfberg, Chair,
Pacific Palisades Community Council

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BRENTWOOD HOMEOWNERS ASSOCIATION

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In The Supreme Court of the United States
In Support of the Petition For A Writ Of Certiorari in
the Matter of City of Boise, Petitioner, v. Robert Martin,
et al, Respondents

The Brentwood Homeowners Association (“BHA”) represents a community of approximately 3,200 residents in Los Angeles, California, that is experiencing a growing population of homeless persons whose behavior threatens the health and safety of those residents. Our City, County, and State legislative bodies and enforcement agencies are hamstrung in dealing with the threats posed to health and safety by the decision that is the subject of petitioner’s writ of certiorari. Local jurisdictions throughout the country are similarly helpless to deal with these threats. Left uncontrolled, it is not an exaggeration to predict the possibility of a national pandemic putting at risk the health and lives of everyone. Public spaces, such as sidewalks, in our BHA community are frequently made impassable by homeless encampments of a dozen or more tents; public spaces are covered with trash, excrement and urine; spoiled food, hypodermic needles, and condoms litter the public spaces; the City and County of Los Angeles are simply overwhelmed by the speed and scale of the homeless population growth. The BHA supports the petitioner’s writ of certiorari in order to afford the Supreme Court the opportunity to reverse or limit the Ninth Circuit decision because, otherwise, we are

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advised our City, County, and State are without the Constitutional authority to enact reasonable limitations on homeless encampments that adversely impact the health, safety, and welfare of both the homeless persons in our community as well as the health, safety, and welfare of the residents of our community. The issue is extremely important to every urban community in the entire country that is experiencing an unprecedented growth in the number of homeless persons. Housing, temporary or permanent, cannot be built fast enough regardless of funding. If the decision of the Ninth Circuit is left standing, regulations of cities, counties, and states designed to protect the health and safety of their communities will be called into question; law enforcement efforts to protect the health and safety of communities will be hindered; and the health and safety of millions of persons will be subjected to undue risk.

Respectfully submitted,

/s/ Kathleen Flanagan

Kathleen Flanagan, President
