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September 18, 2023

Carolyn Jordan, Chair, Brentwood Community Council
(via email)

Re: PPCC Support for Brentwood Community Council
(BCC) Amicus Brief in *City of Grants Pass v. Johnson*
(Petition for Writ of Certiorari in the Supreme Court of
the United States)

Dear Ms. Jordan:

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 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 Grants Pass in the above referenced case (Petition), and on behalf of PPCC, we express PPCC's strong support for the Amicus Brief.¹ Specifically, we agree with the argument that review by the US Supreme Court is necessary to provide clarity in light of apparent conflicts with Supreme Court precedent and federal appellate and state supreme court opinions, as noted in the 17-judge dissent to the opinion of the Ninth Circuit in the underlying case (*Johnson v. City of Grants Pass*

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

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(9th Cir.), Nos. 2035752 and 20-355881 (9th Cir.), (July 5, 2023) (amended opinion upon denial of rehearing).

It is a matter of public record that a severe homelessness crisis exists in Los Angeles, with ever increasing numbers of encampments in neighborhoods across Los Angeles and on public property throughout the City. Since we last wrote, various ordinances have been drafted and earnest attempts made at addressing the crisis which grows in number each year. Still, the attendant trash, drugs, and disease continues unabated. 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 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, but to date, efforts undertaken through voter-approved measures to facilitate construction of supportive housing have not translated into appreciable reduction in homelessness.

The Palisades community, like others, has been severely impacted by homelessness. Homeless individuals sleep on our sidewalks and camp along our bluffs and park areas, set in residential neighborhoods (all of which are designated High Fire Hazard Severity 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 in reducing hazardous encampments, we

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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 *Grants Pass, supra*. For all these reasons and more, PPCC supports the BCC Amicus Brief and respectfully urges review by the United States Supreme Court of the underlying Ninth Circuit decision.

Sincerely,
Maryam Zar,
President, Pacific Palisades Community Council

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

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BRENTWOOD HOMEOWNERS ASSOCIATION

PO Box 49427 • Los Angeles, California 90049
info@brentwoodhomeowners.org

September 19, 2023

Carolyn Jordan, President, Brentwood Community Council

Re: BHA Support for Brentwood Community Council (BCC) Amicus Brief in *City of Grants Pass v. Johnson* (Petition for Writ of Certiorari in the Supreme Court of the United States)

After reviewing the Amicus Brief to be filed by BCC (“Amicus Brief”) as well as the Petition for Writ of Certiorari filed by the City of Grants Pass in the above referenced case, Brentwood Homeowners Association (“BHA”) expresses its strong support for the Amicus Brief. Specifically, BHA agrees with the argument in the Amicus Brief that the Grants Pass ruling exacerbates the confusion created by the “Boise case” and inhibits the ability of local governments to manage the homeless crisis while safeguarding the well-being of all their residents, whether homeless or housed. We firmly believe that a review of Grants Pass by this Court is essential to provide the much-needed clarity and guidance to local authorities regarding measures that can be implemented without infringing upon the constitutional rights of any citizen.

Without clarity from the Supreme Court on this ruling, the result will be the situation described in the article “*Sacramento Is Sued Over Homeless Camps as Tensions Rise*” (New York Times, Sep. 19, 2023).

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The Brentwood Homeowners Association is a non-profit, voluntary homeowner association that represents 4,500 single family homes and condos in Los Angeles, California. Since 2017, a homeless encampment has resided on the sidewalk under the jurisdiction of the County of Los Angeles outside the fence of the Veteran's Administration ("VA") property (the "San Vicente Encampment"). This encampment, adjacent to BHA territory, has reached up to 40 tents at one time.

Although the residents, workers, and guests of the BHA, and the commercial establishments on San Vicente Blvd serving the BHA members must contend with drug use, violent behavior, and public defecation by the residents of this encampment, the persons populating the San Vicente Encampment suffer the most – some fatally. In November 2021, approximately 40 residents of the encampment were relocated to housing and the sidewalk cleared. Two years later, many are back in tents at this same site.

There are over 40,000 homeless in Los Angeles. It is irrational to require over 40,000 places for shelter before 40 homeless persons can be sheltered in 40 available places. The Court must clarify the ability of local jurisdictions to deal with an encampment of 40 homeless when it has 40 places of shelter to offer those 40 homeless persons. Further, the Court must clarify what local jurisdictions may do with respect to mentally ill homeless who do not have the capacity to make rational decisions for themselves regarding whether to accept shelter being offered.

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In conclusion, BHA believes that the issues presented in *City of Grants Pass v. Johnson* are of paramount importance, not only to our community but to communities across the nation grappling with homelessness. We respectfully urge the Supreme Court to grant certiorari and consider the implications of this case in providing much-needed guidance to local governments on this critical matter.

Respectfully submitted,

Thelma Waxman
President
Brentwood Homeowners Association
