



Homeless Commission

CONSENT CALENDAR

April 20, 2021

To: Honorable Mayor and Members of the City Council

From: Homeless Commission

Submitted by: Carole Marasovic, Chairperson, Homeless Commission

Subject: Recommendation to Incorporate Hate Crimes against Persons with Homeless Status in Improving Hate Crime Reporting and Response

RECOMMENDATION

That Council refer to the City Manager to develop a targeted approach, towards persons with homeless status, to improving hate crime reporting and response consistent with the other approaches being developed for other populations under the City of Berkeley's Improving Hate Crimes Reporting and Response legislation passed by Council on November 17, 2020.

SUMMARY

Homeless persons are frequently the victims of hate crimes based on their homeless status. On November 17, 2020, Council passed legislation to refer to the City Manager to develop approaches to improve hate crimes reporting and response. While homeless victims may be, to some degree, covered under other populations identified, the hate crimes committed against them because of their homeless status merit being distinguished in reporting and response. Council's referral to the City Manager also covers developing community education and outreach. The homeless population needs outreach targeted to them.

FISCAL IMPACTS OF RECOMMENDATION

Staff time is involved in developing reporting and response referrals to return to Council. Since hate crime reporting and response approaches have already been directed by Council to the City Manager, this referral can be incorporated into current staff time being used by that referral.

CURRENT SITUATION AND ITS EFFECTS

From 1999-2010, hate crimes based on homeless status were documented throughout the United States with two states identified as having the highest number of hate crimes against the homeless, those states being California and Florida. (Hate Crimes Against the Homeless, January, 2012, a publication of the National Coalition on Homelessness). In addition, it can be presumed that there was underreporting.

Only three states have passed targeted legislation addressing reporting and response to homeless victims of hate crimes, those being Rhode Island, Maine and Florida. Nationally, HR3258, Hate Crimes Against the Homeless Statistics Act of 2011, was introduced in Congress. Action was never taken on that legislation with it dying as a result of the lack of action.

Homeless persons are easily the targets of hate crimes, often derided, and having their property, or themselves, physically attacked, based on their homeless status.

BACKGROUND

On November 17, 2020, Council passed legislation referring to the City Manager to develop approaches improving reporting and response of hate crimes.

On February 10, 2021, the Homeless Commission voted unanimously as follows:

That Council refer to the City Manager to develop a targeted approach, towards persons with homeless status, to improving hate crime reporting and response consistent with the other approaches being developed for other populations under the City of Berkeley's Improving Hate Crimes Reporting and Response legislation passed by Council on November 17, 2020.

Action: M/S/C Behm-Steinberg/Kealoha-Blake move to approve the report.

Vote: *Ayes:* Kealoha-Blake, Shaw, Mulligan, Marasovic, Behm-Steinberg, Andrew.
Noes: None. *Abstain:* None. *Absent:* None.

ENVIRONMENTAL SUSTAINABILITY

There are no known identifiable environmental effects.

RATIONALE FOR RECOMMENDATION

Persons are frequently the victim of hate crimes based on their homeless status. Neither the federal government nor the state government has enacted legislation targeted towards statistical reporting and responding to this specific group.

Since the City of Berkeley has recognized the need to improve reporting and response for hate crimes and has referred to the City Manager approaches to be developed, homeless persons should also be incorporated, with targeted approaches towards them, in reporting and responses.

ALTERNATIVE ACTIONS CONSIDERED

The alternative is not to identify the specific hate crime reporting and response needs of the unhoused who are victims based on their homeless status.

CITY MANAGER

City manager concurs the content and recommendations of the commission's report.

CONTACT PERSON

Josh Jacobs, Commission Secretary (510) 981-5435.

