

Date of Hearing: May 12, 2020

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT

Cecilia Aguiar-Curry, Chair

AB 2275 (Nazarian) – As Introduced February 14, 2020

SUBJECT: State armories: homeless shelters: security.

SUMMARY: Changes a requirement that cities and counties ensure that local law enforcement visit a state armory each night it is used as a shelter, to a requirement that cities and counties request that law enforcement visit each night it is used as a shelter. Specifically, **this bill:**

- 1) Strikes the requirement that, prior to obtaining a license to use an armory as a shelter for the homeless, cities and counties must ensure that law enforcement visit the armory each night it is used a shelter.
- 2) Requires that, prior to obtaining a license to use an armory as a shelter for the homeless, cities and counties must notify local law enforcement and request that officers visit the armory each night it is used as a shelter.

EXISTING LAW:

- 1) Requires that armories in specified counties be made available for use as homeless shelters by the counties and cities in those counties between October 15 and April 15, each year.
- 2) Grants the Adjutant General the sole discretion to use alternate armories to meet the operational needs of the Military Department, and permits any city or county to use any armory within its jurisdiction as a shelter for the homeless, subject to the Adjutant General's approval.
- 3) Grants the Adjutant General the sole discretion to make any armory deemed vacant by the Military Department available through the year to the county or city in which that armory is located for the purposes of providing temporary shelter.
- 4) Subject to the Budget Act, allows the Adjutant General to increase or decrease the number of days of operation of all the armories funded in any year to best meet cold weather demands as they develop, and requires the Adjutant General to report to the counties authorized to receive funds on the ongoing availability of remaining funded shelter days.
- 5) Requires a city or county to agree to specified conditions in order to obtain a license from the Military Department to use an armory as a homeless shelter.

FISCAL EFFECT: None

COMMENTS:

- 1) **Author's Statement.** According to the author, "This bill is needed to remove a state statutory barrier to sheltering California's most vulnerable residents. In previous years, uncertainty around this piece of statute has delayed the opening of needed shelter beds, including during times of inclement weather, which puts unsheltered individuals at serious

risk of hypothermia. If AB 2275 were to pass, it would help enable local jurisdictions to better leverage state-owned property to address homelessness.”

- 2) **Background.** The California Military Department operates nearly 100 armories statewide, not all of them owned by the state. These armories are used as staging areas, for equipment storage, and as training spaces for National Guard units. Nevertheless, they have been made available in the winter months to provide temporary shelter for the homeless during cold weather.

Prior to using a state armory as a shelter, a city or county must obtain a license from the Military Department. Obtaining a license requires the city or county to agree to accept:

- a) Responsibility for measures and costs necessary to comply with state and local health and safety codes;
 - b) Responsibility for legal liabilities during the license period;
 - c) All costs of providing the shelter, except as may be provided in the Budget Act;
 - d) Responsibility for obtaining alternative housing arrangements for homeless persons sheltered in state armories upon notification from the Military Department that an armory is required for military activities or emergency purposes;
 - e) Responsibility for providing uniformed security personnel one hour prior to the opening of the shelter until one hour after lights out at the shelter;
 - f) Responsibility for ensuring that local law enforcement officers conduct periodic visits to the armory on each night of its operation as an emergency shelter; and,
 - g) Responsibility for providing janitorial services.
- 3) **Bill Summary.** This bill revises a requirement relative to the security services cities and counties are required to provide to armories in order to obtain a license to use an armory as homeless shelter. Existing law requires that, prior to using an armory as an emergency shelter, cities and counties must agree to provide uniformed security personnel at the site each night from one hour prior to the site being opened as a shelter until one hour after lights out. The law also requires cities and counties to ensure that local law enforcement officers make periodic visits to the armory each night it is used as a shelter. According to the author and sponsors of this measure, the requirement to ensure that law enforcement officers visit the shelter every night can be cumbersome and has delayed the opening of some shelters. This can be particularly difficult where the local agency operating the shelter does not necessarily have direct oversight of local law enforcement officers.

This bill will strike the requirement that cities and counties agree to ensure that local law enforcement visit the armory each night it is used as a shelter; instead, this bill will allow cities and counties to obtain a license to use an armory as a homeless shelter if they agree to notify local law enforcement officers that the armory will be used as a shelter and request that law enforcement officers make periodic visits each night it is in operation.

This bill is sponsored by The Los Angeles Homeless Services Authority.

- 4) **Arguments in Support.** The Los Angeles Homeless Services Authority argues that, “State-owned armories present a potential tool as part of a larger comprehensive solution to homelessness. While housing represents the ultimate solution to homelessness, all avenues to sheltering vulnerable residents should be explored, including using state-owned armories. These sites are appropriately zoned, owned by a public agency, and able to safely shelter many people at one time.

“Yet multiple barriers limit the use of armories, several of which can be rectified through state legislation. One of these barriers is unclear and burdensome security requirements, which require both uniformed security personnel to be present as well as coordinating nightly visits from local law enforcement. The requirement around local law enforcement is especially cumbersome, as an array of overlapping jurisdictions through the state make authority unclear and in many cases leave [Continuums of Care or (CoCs)] CoCs or counties unable to compel local law enforcement to document that they will make these visits (even if they have agreed to visit the site on a regular basis).

“This barrier has resulted in certain armory sites being unable to be opened on time during the Winter Shelter Season, leaving vulnerable Californians unable to access critical shelter beds during inclement weather. Over the 2019 Thanksgiving weekend, for example, when the County and City of Los Angeles directed the CoC to open as many winter shelter beds as possible due to inclement weather, the West Los Angeles armory was unable to be activated due to this requirement...”

- 5) **Arguments in Opposition.** None on file.

REGISTERED SUPPORT / OPPOSITION:

Support

Downtown Women’s Center
Hathaway-Sycamores
Los Angeles Homeless Services Authority (LAHSA)

Opposition

None on file

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