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San Joaquin County Responds to U.S. Supreme Court Denial to Review Homelessness Encampment Case in CITY OF BOISE V. MARTIN

(**STOCKTON, CA**) – On December 16, The United State Supreme Court declined to review City of Boise v. Martin, Case No. 19-247 – a decision in which the Ninth Circuit Court of Appeals ruled that enforcing local laws prohibiting camping and sleeping on public property “when no sleeping space is practically available in any shelter” within the jurisdiction violates the Eighth Amendment protection against cruel and unusual punishment.

San Joaquin County was one of 33 concerned counties and cities asking the Supreme Court to review the *Martin* decision. The amicus brief explained that the ill-defined standard adopted by the Ninth Circuit could jeopardize the ability of counties and cities to get people living on the streets into shelters, provide those individuals with the critical services they need and move people camping in hazard-prone areas to safety. Instead, municipalities that try to enforce anti-public camping laws may face federal civil rights lawsuits that threaten to cost taxpayers millions and divert public funding from supportive services for this population.

Since the Supreme Court has declined to review this decision, courts will decide on a case-by-case basis how to construe and apply *Martin*, and counties and cities will continue to argue for a reasonable interpretation of the decision.

“This senseless lack of review continues to put San Joaquin County with limited choices regarding camping however, this decision has not affected San Joaquin County’s response to homelessness,” said San Joaquin County Board of Supervisors Chair, Miguel Villapudua. “We will continue our commitment to supporting the development of an effective system of housing and services for the homeless that includes the expansion of permanent supportive housing and emergency shelter.”

San Joaquin County Supervisor Kathy Miller added, “We remain the agency providing the bulk of mental health, substance abuse, and social services programs for County residents. And we will continue to respond to the health and safety concerns of all citizens through the San Joaquin County Encampment Response Team, which was designed and implemented specifically to comply with the Boise decision.”

The County will continue to use the existing tools available to us including the Encampment Response Team, the State and Federal Resources including the recently released Homeless Housing, Assistance and Prevention Program funds, No Place Like Home funding, and other funds to provide housing to the homeless in our community, as well as pursue all other legal avenues to address homelessness and blight.

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